

# BRIDGING DIGITAL INNOVATION AND SOCIAL IMPACT: A MAQASID-CENTRIC GOVERNANCE FRAMEWORK FOR FINTECH SUKUK IN PROMOTING FINANCIAL INCLUSION

Didik Gelar Permana<sup>1\*</sup>

<sup>1</sup>*Ibn Khaldun University Bogor (Indonesia)*

\*) email: [didikgelarpermana@uika-bogor.ac.id](mailto:didikgelarpermana@uika-bogor.ac.id)

---

## Abstract

The rapid digital transformation in Islamic finance has given rise to innovative FinTech-based sukuk models, including blockchain-structured sukuk and digital wakaf platforms. While these technological advancements promise greater efficiency and accessibility, a critical governance gap persists. Current Shariah oversight mechanisms remain largely reactive and compliance-focused, potentially undermining the social impact and inclusion objectives that FinTech innovations should serve. This research addresses this gap by developing and proposing a Maqasid-Centric Governance Framework for FinTech Sukuk—a novel approach that integrates classical Islamic jurisprudence with contemporary financial technology to optimize socio-economic impact. Employing a qualitative, library-based methodology, the study conducts a three-layered analysis: usuli examination of foundational Islamic principles; comparative analysis of classical commercial law from the Shafi'i and Hanbali schools; and critical evaluation of contemporary fatwas from AAOIFI, SAC Malaysia, and DSN-MUI on digital sukuk instruments. These layers are synthesized through an expanded Maqasid al-Shariah lens emphasizing financial inclusion, technological accessibility, and social equity. The study reveals that without substantive, purpose-driven governance, FinTech sukuk innovations risk becoming technologically advanced yet socially limited instruments. In response, it makes three primary contributions: first, by proposing a practical "Maqasid Governance Dashboard"—an evaluative tool enabling regulators and practitioners to assess both permissibility and social impact; second, by demonstrating how classical Islamic legal principles can constructively foster financial innovation; third, by providing evidence-based policy recommendations for enhancing financial inclusion through technologically-enabled Islamic social finance. This study's tripartite analysis reveals that classical jurisprudential tools, particularly the Hanbali principle of *sadd al-dhara'i'* (blocking the means), provide a robust yet underutilized mechanism for preempting digital exclusion and steering innovation towards substantive maqasid fulfillment. This research ultimately offers a pathway for FinTech sukuk to serve as genuine instruments of socio-economic transformation, directly addressing the SINERGY 2026 theme of "Multiparadigm Innovation for Economic, Social, and Cultural Transformation."

**Keywords:** FinTech Sukuk, Maqasid al-Shariah, Shariah Governance, Financial Inclusion, Digital Islamic Finance

---

## 1. INTRODUCTION

The global Islamic finance industry is undergoing a profound metamorphosis, driven by the disruptive force of financial technology (FinTech). Innovations such as blockchain-based sukuk, tokenized waqf platforms, and smart contract-governed Islamic bonds (sukuk) are redefining the boundaries of Shariah-compliant finance

(Hassan et al., 2020; Mohieldin et al., 2022). These digital instruments promise unprecedented efficiency, transparency, and the democratization of access to capital markets. However, this rapid technological advancement has precipitated a critical governance paradox: while the form of Islamic finance is being digitally transformed, the substance of its Shariah oversight risks being left behind, anchored in reactive compliance-checking rather than proactive impact stewardship (Zulhibri, 2022; Grassa et al., 2021).

This paradox exposes a fundamental tension. Islamic finance is ontologically distinct, anchored not merely in the prohibition of *riba* and *gharar*, but in the positive imperative to achieve *Maqasid al-Shariah* (the higher objectives of Islamic law)—justice (*‘adl*), welfare (*maslahah*), and the removal of hardship (*raf’ al-haraj*). The Quranic imperative is clear: “And do not consume one another’s wealth unjustly or send it [in bribery] to the rulers in order that [they might aid] you [to] consume a portion of the wealth of the people in sin, while you know [it is unlawful]” (Q.S. Al-Baqarah: 188). This verse underscores that the protection and just circulation of wealth (*hifz al-mal*) is not a passive rule but an active social responsibility. Similarly, the Prophetic tradition prioritizes public benefit: “Neither harm nor reciprocate harm” (Sunan Ibn Majah 2341). In the context of finance, this hadith establishes a governance principle that extends beyond contractual permissibility to mandate the prevention of systemic harm and the promotion of universal benefit.

Yet, contemporary Shariah governance frameworks, as noted by Alam et al. (2021), often default to a checklist-based approach, meticulously validating contract structures against classical nominate contracts (*‘uqud al-musammah*) while paying insufficient attention to whether these digitized structures genuinely advance financial inclusion (*al-shumul al-mali*) or redress economic disparities. Research by Ascarya and Hosen (2022) confirms that while smart contracts can automate compliance, their design is seldom guided by the imperative to maximize *maslahah*. Consequently, there is a tangible risk that FinTech sukuk becomes a vehicle for “digital *riba*” technically compliant in form but devoid of transformative socio-economic substance, potentially excluding the very communities it is meant to empower (DinarStandard & Elipses, 2023). This is a critical governance gap.

Preliminary evidence from early digital sukuk issuances indicates a concentration of investors among the digitally literate and financially included, underscoring the risk of a ‘digital divide’ within Islamic finance itself. The problem is compounded by a jurisprudential lag. Fatwas and standards from key regulatory bodies like AAOIFI, the Securities Commission Malaysia’s Shariah Advisory Council (SAC), and Indonesia’s DSN-MUI are evolving but remain fragmented and predominantly focused on the digital *fiqh* of assets and contracts—questions of whether a digital token constitutes valid *mal* (property) or a blockchain record fulfills *qabd* (possession) (AAOIFI, 2020; DSN-MUI Fatwa No. 140, 2021). There is a lack of a cohesive framework that integrates this necessary technical *fiqh* with the strategic *usul* of *maqasid*. Crucially, the rich classical resources within the Islamic legal tradition, particularly the Shafi’i and Hanbali schools’

sophisticated treatments of *istislah* (public interest), *sadd al-dhara'i* (blocking the means to harm), and *'urf* (custom), remain under-leveraged as dynamic tools for governing 21st-century technology (Abdul-Rahman & Abdul-Latif, 2020).

Therefore, this research is motivated by an urgent need to bridge this gap. It asks: How can Shariah governance evolve from a passive compliance mechanism into a proactive steering tool to ensure FinTech sukuk fulfills its maqasidic promise of financial inclusion and social impact? The study posits that the solution lies not in abandoning classical jurisprudence, but in radically re-engaging with it. By synthesizing a three-layered analysis—usuli principles, comparative madhhab tools, and contemporary fatwas—through the lens of an expanded Maqasid al-Shariah, this research constructs a Maqasid-Centric Governance Framework. This framework, crowned by a practical Maqasid Governance Dashboard, aims to provide regulators and practitioners with the means to answer not only “Halal?” but, more importantly, “For what greater good?”—ensuring that the digital revolution in Islamic finance remains unequivocally and measurably in the service of human welfare and economic justice, in direct alignment with the SINERGY 2026 theme of multiparadigm innovation for holistic transformation.

---

## 2. METHODOLOGY

This study employs a qualitative, library-based (documentary) research design aimed at constructing a robust normative-conceptual framework. The methodological approach is structured to systematically bridge classical Islamic legal theory with contemporary FinTech applications, ensuring the proposed governance model is both academically rigorous and practically relevant. The procedures follow a three-layered analytical strategy, culminating in a synthesis through the expanded lens of Maqasid al-Shariah.

### 2.1. Research Design and Philosophical Approach

This research adopts a constructive, doctrine-based (*ushuli*) legal research design, which is predominant in Islamic jurisprudence studies (Abdullah, 2018). The philosophical stance aligns with **interpretivism**, as it seeks to understand and interpret the meanings, principles, and objectives embedded within Islamic legal texts and their application to a modern phenomenon. The study is purely **qualitative**, relying on critical documentary analysis without numerical data collection. As a **library research**, it comprehensively collects, critiques, and synthesizes existing textual data from primary and secondary sources to answer the research question and build a novel conceptual framework (Creswell & Poth, 2018).

### 2.2. Data Collection: Sources and Procedure

Data was collected through an exhaustive and systematic review of textual sources, categorized into three primary tiers corresponding to the analytical layers. The collection procedure involved identifying, sourcing, and organizing relevant documents.

| Tier   | Source Category   | Specific Examples & Purpose   |
|--|---|---|
| <b>1. Primary Islamic Legal Sources</b>                    | Foundational texts of Islamic law.                                    | <b>Al-Qur'an &amp; Sahih Hadith:</b> To establish core ethical-legal axioms (e.g., justice, prohibition of harm).<br><b>Classical Usul al-Fiqh Manuals:</b> Al-Ghazali's <i>Al-Mustasfa</i> , Al-Shatibi's <i>Al-Muwafaqat</i> . To extract principles of <i>maslahah</i> , ' <i>illah</i> (causation), <i>sadd al-dhara'i'</i> .   |
| <b>2. Classical &amp; Contemporary Juristic Literature</b> | Rulings and interpretations from juridical schools and modern bodies. | <b>Classical Fiqh Texts:</b> Al-Nawawi's <i>Al-Majmu'</i> (Shafi'i), Ibn Qudamah's <i>Al-Mughni</i> (Hanbali). For comparative analysis of commercial law ( <i>mu'amalat</i> ).<br><b>Contemporary Fatwas &amp; Standards:</b> AAOIFI Shariah Standards (e.g., No. 62, 2020), SAC Malaysia rulings, DSN-MUI fatwas (e.g., No. 140/2021). To map the current regulatory landscape for digital sukuk. |
| <b>3. Academic &amp; Industry Literature</b>               | Scholarly discussions and industry analyses.                          | <b>Peer-Reviewed Journals:</b> Articles from Scopus-indexed & SINTA 1/2 journals on Islamic FinTech, governance, and maqasid.<br><b>Industry Reports:</b> Publications from IFSB, Islamic Development Bank (IsDB), and DinarStandard (e.g., Global Islamic Fintech Report 2023). For context on technological trends and socio-economic impact metrics.   |

### 2.3. Data Analysis: The Three-Layered Method

The analysis proceeds through three sequential, interconnected layers of textual interpretation and critical reasoning.

#### Layer 1: Usuli (Foundational Principles) Analysis

This layer involves a doctrinal and thematic analysis of primary Islamic sources. The objective is to extract and systematize the core legal axioms governing transactions. The focus is on principles such as:

- The permissibility of new contracts based on underlying cause (*'illah*).
- The prohibition of excessive uncertainty (*gharar*) and exploitation.
- The overarching objectives (*maqasid*) of preserving faith, life, intellect, lineage, and wealth.

This analysis establishes the immutable ethical-legal boundaries and positive imperatives that must guide all financial innovation.

#### Layer 2: Comparative Madhhab (Juridical Schools) Analysis

This layer conducts a **comparative legal analysis** focusing on the Shafi'i and Hanbali schools. The methodology, following Hasan (2019), involves:

- Isolation of Key Concepts:** Identifying relevant legal concepts (e.g., definition of mal [property], rules of *bay' al-tinah*, application of *'urf* [custom] and *sadd al-dhara'i'*).
- Comparative Examination:** Systematically comparing each school's rulings, evidences (*dalil*), and legal reasoning (*istidlal*) regarding these concepts.
- Contextualization for FinTech:** Interpreting how these classical positions can be applied to modern issues like digital asset ownership and smart contract

enforcement. This highlights the flexibility and adaptability within the Islamic legal tradition.

### Layer 3: Contemporary Fatwa and Standard Analysis

This layer employs a critical content analysis of modern regulatory documents. Using a framework adapted from Zulkhibri (2022), the process includes:

1. **Coding:** Identifying and categorizing key themes, such as "structural compliance," "risk assessment," "technology acceptance," and "mention of maqasid/impact."
2. **Comparative Mapping:** Charting the evolution of juristic thinking across different institutions (AAOIFI, SAC, DSN-MUI) to identify consensus points and regulatory gaps.
3. **Gap Identification:** Pinpointing areas where contemporary rulings are silent or underdeveloped concerning the socio-economic impact and maqasid alignment of FinTech sukuk.

### 2.4. Synthesis and Framework Development

The findings from the three analytical layers are integrated dialectically. Classical principles (Layer 1) and tools (Layer 2) are posed as normative solutions to the governance gaps identified in modern practice (Layer 3). This synthesis is guided by an expanded Maqasid al-Shariah framework that incorporates contemporary imperatives like financial inclusion and technological accessibility (Auda, 2021). The final output is the proposed "Maqasid-Centric Governance Framework," which logically leads to the development of its core innovation: the practical "Maqasid Governance Dashboard" as an evaluative tool.

### 2.5. Validity and Reliability in Library Research

To ensure academic rigor and trustworthiness in this qualitative, library-based study, the following strategies are employed:

- a. **Triangulation of Sources:** Cross-verifying findings and interpretations across the three distinct layers of data (primary texts, classical jurisprudence, and contemporary documents) to ensure consistency and reduce bias.
- b. **Analytical Transparency (Audit Trail):** Maintaining clear documentation of the analytical process—from source selection, through coding and comparison, to final synthesis—allowing the research path to be scrutinized and followed.
- c. **Peer Debriefing and Expert Reference:** While formal member checking with original fatwa issuers is not feasible, the interpretations of classical and contemporary texts are consistently grounded in and referenced against established scholarship from recognized authorities in Islamic finance and jurisprudence (e.g., citing Auda, Bedoui & Mansour, etc.). This leverages the scholarly community as a validity check.
- d. **Thick Description:** Providing rich, detailed descriptions of the legal concepts, analytical steps, and reasoning processes to allow readers to assess the transferability of the conclusions to other contexts. It is acknowledged, however, that a primary limitation of this library-based design is its reliance on documented rulings;

consequently, the proposed framework awaits empirical validation and stress-testing against live FinTech sukuk structures and real-world investor behavior.

### 3. FINDINGS AND DISCUSSION

The three-layered analysis yields critical insights into the governance gap in FinTech sukuk and provides the constitutive elements for a Maqasid-centric framework. The findings reveal a tension between procedural compliance and substantive impact, while classical jurisprudence offers underutilized yet powerful tools for resolution.

#### 3.1 Key Findings from the Tripartite Analysis

##### 3.1.1 Usuli Analysis: The Primacy of Maslahah and Permissibility of Innovation

The usuli examination confirms that the foundational principles of Islamic law are inherently facilitative of ethical innovation. The principle of *ibāhah asliyyah* in muamalat establishes a default position allowing new financial structures, provided core prohibitions are observed (Al-Zuhayli, 2015). Crucially, the study finds that the maqasid are not passive restrictions but active imperatives.

The Quranic imperative,

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَأْكُلُوا أَمْوَالِكُمْ بَيْنَكُمْ بِالْبَاطِلِ إِلَّا أَنْ تَكُونَ تِجَارَةً عَنْ تَرَاضٍ مِّنْكُمْ

(O you who have believed, do not consume one another's wealth unjustly but only [in lawful] business by mutual consent; Q.S. An-Nisa': 29), establishes consent (*tarāḍin*) and the avoidance of *bāṭil* (falsehood/injustice) as the bedrock of all transactions. This extends beyond mere contract validity to encompass fair outcomes and distribution.

Furthermore, the Prophetic tradition emphasizes benefit:

لَا ضَرَرَ وَلَا ضِرَارَ

(There shall be no harm and no reciprocation of harm; Sunan Ibn Majah 2341). In the context of FinTech, this hadith becomes a governance axiom: a technologically sound sukuk structure that inadvertently exacerbates financial exclusion or systemic risk creates *ḍarar* (harm), thus failing a fundamental Shariah test. Therefore, *al-maslahah* (public benefit) emerges not as an optional adjunct but as a core legal criterion (*mufassir al-nass*) in evaluating innovation, especially in areas without explicit textual ruling (Al-Shatibi, n.d.). A FinTech sukuk model that fails to advance financial inclusion may be compliant in form but deficient in fulfilling the higher objectives of the law.

##### 3.1.2 Madhhab Comparative Analysis: Adaptive Tools from Shafi'i and Hanbali Jurisprudence

The comparative analysis uncovers robust legal mechanisms within classical schools that are directly applicable to digital governance.

- a. **Concept of *al-Māl* (Wealth/Property):** The Hanbali school's flexible, purpose-oriented definition of *māl* as "anything that is customarily valued and can be stored for time of need" (Ibn Qudamah, 1997) provides a stronger juristic basis for

recognizing digital assets and crypto-tokens as legitimate subject matter (*mabr'*) for sukuk. This aligns with the Islamic legal maxim: "الأصل في الأشياء الإباحة" (The default ruling for all things is permissibility; Al-Asybah wa al-Nadha'ir). It contrasts with more restrictive definitions that could stifle innovation.

- b. **Sadd al-Dhara'i'** (Blocking the Means) as a Proactive Governance Tool: While both schools accept this principle, the Hanbali application is notably proactive in forestalling potential harm before it materializes (Al-Dawoody, 2017). This principle can be operationalized to preemptively restrict FinTech sukuk models that, despite technically sound contracts (*ṣīghah*), could lead to:
- 1) Excessive speculation *maqāmara*: Using high-frequency token trading.
  - 2) Data privacy harms: Exploiting investor data unjustly.
  - 3) Digital exclusion: Creating barriers for non-tech-savvy populations.
- This principle moves governance from a reactive (*post-facto* approval) to a pre-emptive and preventive stance, embodying the spirit of the hadith on preventing harm.
- c. **Al-'Urf (Custom) as a Validator of Technological Standards**: Both schools give significant weight to prevailing, righteous custom. The widespread adoption, security protocols, and standardized operations of technologies like blockchain can constitute a valid 'urf ṣaḥīḥ (sound custom). This 'urf can inform the juristic understanding of *al-qabḍ* (possession) in digital assets and the enforcement mechanism of smart contracts, lending Islamic legal credibility to decentralized systems (Hasan, 2020). The legal maxim "المعروف عرفاً كالمشروط شرطاً" (What is recognized by custom is like a stipulated condition; Majallat al-Ahkam al-Adliyyah, Art. 43) supports this.

### 3.1.3 Contemporary Fatwa Analysis: A Structural Compliance Focus with Nascent Maqasid Awareness

A critical review of recent fatwas reveals a predominant, though evolving, focus.

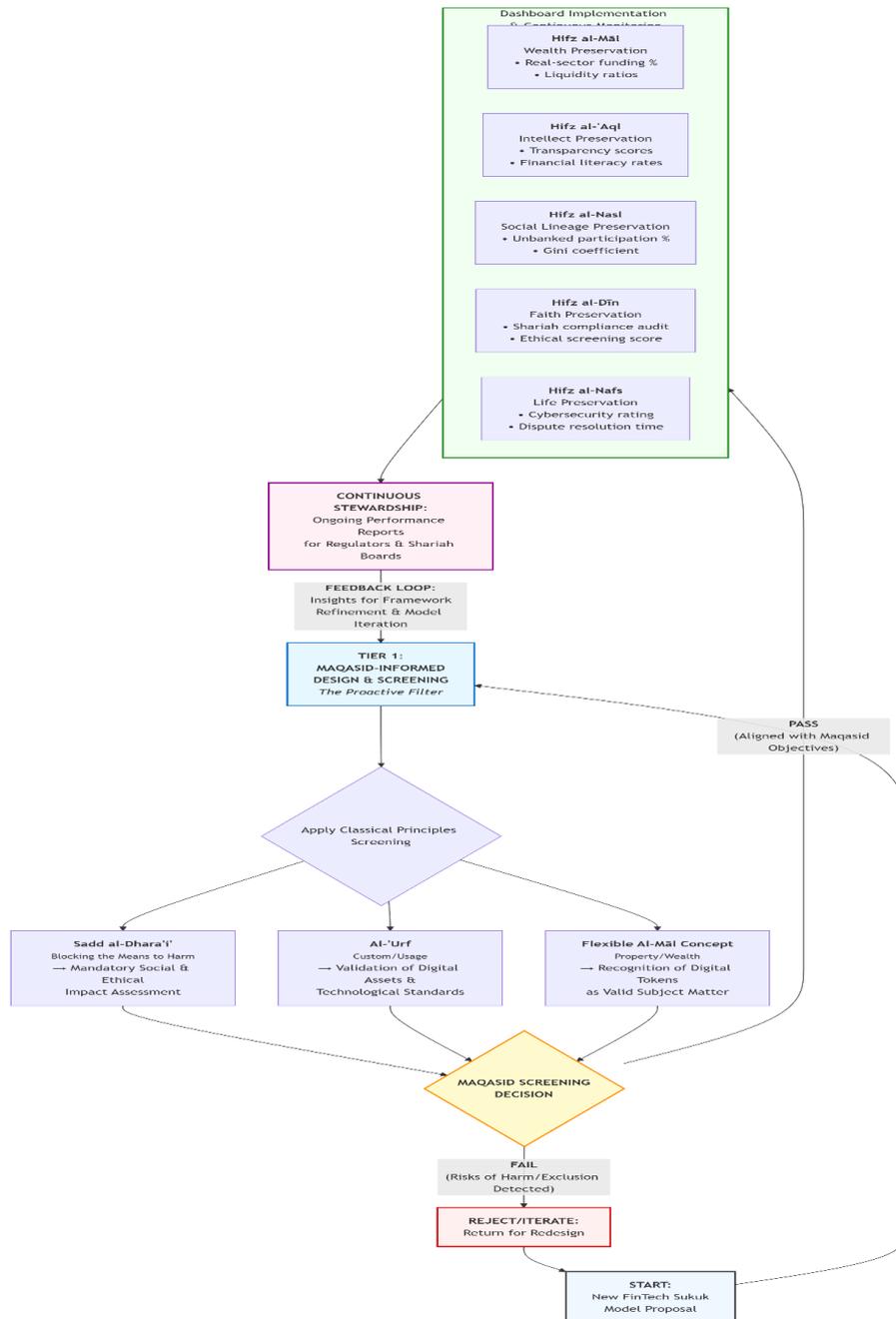
- d. **Structural Compliance Dominance**: Initial rulings (AAOIFI, 2020; DSN-MUI Fatwa No. 140, 2021) primarily concentrate on ensuring the underlying tangible asset (*al-'ayn*), the transfer of true ownership (*al-tamlik*), and the flow of returns in digital sukuk models mirror their conventional counterparts. The primary concern is ensuring the absence of *ribā* and excessive (*gharar*). This reflects a necessary but insufficient "Fiqh of Form."
- e. **Emerging Discourse on Impact**: More recent pronouncements, particularly from SAC Malaysia (2023) in its guidance on digital investment platforms, begin to explicitly reference broader outcomes like "enhancing financial inclusion" and "supporting SMEs." This indicates a nascent but growing recognition of the need to align technology with maqasid objectives, though it remains secondary and non-systematic within the analytical framework of the fatwas.

### 3.2 Discussion: Synthesizing the Maqasid-Centric Governance Framework

The synthesis of these findings exposes the core governance gap: a disconnection between technical permissibility and purpose-driven optimization.

Notably, the comparative madhhab analysis suggests that the Hanbali school's proactive approach to sadd al-dhara'i' offers a more potent governance tool for the digital age compared to the more retrospective stance observed in some contemporary fatwas. The proposed framework, visualized in Figure 1, bridges this gap through a two-tiered, cyclical governance process.

**Figure 1. The Maqasid-Centric Governance Framework for FinTech Sukuk (A cyclical flowchart showing Tier 1 & Tier 2 with a feedback loop)**



### Tier 1: Maqasid-Informed Design & Screening (The Proactive Filter)

This pre-emptive tier integrates findings from the *usuli* and *madhhab* analyses. Before deep technical structuring, a proposed FinTech sukuk is screened using classical tools as proactive *maqasid* filters. For instance:

- a. The Hanbali principle of *sadd al-dhara'i'* (Blocking the Means) would necessitate a mandatory "Social and Ethical Impact Assessment" evaluating risks of exclusion or concentration of wealth.
- b. The flexible concept of *al-Māl* and validation via *al-'Urf* facilitate the juristic acceptance of novel digital assets and settlement systems. This tier ensures innovation is directed towards authentic *maslahah* from the outset, operationalizing the Quranic command to cooperate in righteousness: "وَتَعَاوَنُوا عَلَىٰ الْبِرِّ وَالتَّقْوَىٰ" (And cooperate in righteousness and piety; Q.S. Al-Ma'idah: 2).

### Tier 2: The Maqasid Governance Dashboard – Operationalizing Impact Measurement

This tier moves beyond binary approval to continuous stewardship. The Dashboard, conceptualized in Table 1, translates high-level *maqasid* into Key Performance Indicators (KPIs). It institutionalizes the shift in the regulator's and Shariah board's question from "Is it permissible?" to "How well does it fulfill the objectives of Shariah?".

**Table 1. Conceptual Maqasid Governance Dashboard for FinTech Sukuk**

| Maqasid Objective (Ḥifẓ)         | Operational Goal for FinTech Sukuk   | Sample Quantitative/Qualitative Indicators   | Primary Data Source  | Syariah Rationale & Reference  |
|----------------------------------|--------------------------------------|--|--|--|
| 1. Wealth (Ḥifẓ al-Māl)          | Capital Formation & Just Circulation | <ul style="list-style-type: none"> <li>• % of funds channeled to Real-Sector SMEs/Projects</li> <li>• Secondary Market Liquidity Ratio</li> <li>• Debt-to-Asset Ratio (for ijarah sukuk) vs. conventional benchmarks</li> <li>• Transaction Cost Reduction % via blockchain</li> </ul> | <ul style="list-style-type: none"> <li>• Issuer's Project Portfolio Reports</li> <li>• Blockchain Explorer &amp; Market Data</li> <li>• Financial Statements &amp; Audits</li> </ul> | <p>Qur'an 2:275: "Allah has permitted trade and forbidden usury..." – Promotes real economic activity (tijārah).</p> <p>Hadith: "The best wealth is a circulating wealth..." (Al-Bayhaqi) – Emphasizes liquidity (tawriṭh al-māl).</p> |
| 2. Intellect (Ḥifẓ al-'Aql)      | Transparency & Informed Consent      | <ul style="list-style-type: none"> <li>• Smart Contract Code Audit Score (by independent Shariah-tech firms)</li> <li>• Disclosure Completeness Index (based on AAOIFI governance standards)</li> <li>• Financial Literacy Module Completion Rate among investors</li> </ul>           | <ul style="list-style-type: none"> <li>• Code Repositories (GitHub)</li> <li>• Shariah Committee &amp; External Audit Reports</li> <li>• Platform User Analytics</li> </ul>          | <p>Qur'an 2:282: "O you who believe, when you contract a debt... write it down..." – Mandates transparency.</p> <p>Legal Maxim: "Certainty is not removed by doubt" (اليقين لا يزول بالشك) – Requires clear evidence.</p>              |
| 3. Lineage/Society (Ḥifẓ al-Nas) | Financial Inclusion & Social Equity  | <ul style="list-style-type: none"> <li>• Demographic Reach: % of unbanked/underbanked</li> </ul>   | <ul style="list-style-type: none"> <li>• KYC/Onboarding Data</li> </ul>  | <p>Qur'an 59:7: "Wealth does not circulate only among the rich..." –</p>   |

| Maqasid Objective (Hifz)            | Operational Goal for FinTech Sukuk    | Sample Quantitative/Qualitative Indicators   | Primary Data Source   | Syariah Rationale & Reference   |
|-------------------------------------|---------------------------------------|--|---|---|
|                                     |                                       | <ul style="list-style-type: none"> <li>participants</li> <li>Geographic Distribution: Gini coefficient of investor addresses</li> <li>Impact Score: Alignment with SDGs (e.g., SDG 1, 10) &amp; local community needs</li> </ul>   | <ul style="list-style-type: none"> <li>(anonymized)</li> <li>Geolocation Data of Investors &amp; Projects</li> <li>Third-Party Impact Assessment Reports</li> </ul>       | Direct command for inclusive wealth distribution.<br>Maqasid Principle: " <i>Removal of hardship</i> " (رفع الحرج) – Requires accessibility for all.  |
| 4. Faith (Hifz al-Din)<br>حفظ الدين | Ethical Alignment & Systemic Trust    | <ul style="list-style-type: none"> <li>Shariah Compliance Audit Tracker: # and severity of non-compliance incidents</li> <li>Stakeholder Trust Index: Investor &amp; community satisfaction surveys</li> <li>Positive Screening Score: % of investments in Halal/ESG-approved sectors</li> </ul>                 | <ul style="list-style-type: none"> <li>Internal Shariah Audit Logs</li> <li>Annual Stakeholder Perception Surveys</li> <li>Project Screening Committee Records</li> </ul> | Qur'an 5:1: " <i>O you who believe, fulfill [all] contracts...</i> " – Upholds sanctity of agreements.<br>Hadith: " <i>Religion is sincerity (nasihah)...</i> " (Muslim) – Requires genuine ethical commitment. |
| 5. Life (Hifz al-Nafs)<br>حفظ النفس | Risk Mitigation & Consumer Protection | <ul style="list-style-type: none"> <li>Cybersecurity Rating: Independent security audit score (e.g., penetration testing)</li> <li>Dispute Resolution Efficiency: Average time to resolve investor complaints</li> <li>Default Protection Metrics: Collateral coverage ratio &amp; takaful provisions</li> </ul> | <ul style="list-style-type: none"> <li>IT Security Audit Reports</li> <li>Dispute Resolution Logs</li> <li>Risk Management Framework Documents</li> </ul>                 | Qur'an 4:29: " <i>Do not destroy yourselves...</i> " – Prohibits self-harm through excessive risk.<br>Legal Maxim: " <i>Harm must be eliminated</i> " (الضرر يزال) – Mandates proactive risk management.        |

This framework demonstrates that classical principles are not relics but essential systems-thinking tools for the digital age. By embedding *maslahah*, *sadd al-dhara'i*, and *urf* into a structured dashboard, regulators (like OJK and Bank Indonesia) and Shariah boards can transition from a binary compliance role to a strategic steering role. For instance, applying this dashboard to a hypothetical blockchain-based micro-sukuk for agricultural SMEs would require issuers to demonstrate not just asset-backed validity, but also metrics on farmer participation rates and regional economic multiplier effects. This ensures FinTech sukuk serves as a genuine instrument of inclusive socio-economic transformation, directly answering the SINERGY 2026 call for multiparadigm innovation that is deeply rooted in ethical and spiritual wisdom.

#### 4. CONCLUSION

This study concludes that the prevailing governance model for FinTech-based sukuk, which remains predominantly compliance-oriented and structurally focused, is

critically insufficient to harness the full socio-transformative potential of these digital innovations. The three-layered analysis—spanning foundational *usuli* principles, classical *madhhab* jurisprudence, and contemporary regulatory fatwas—reveals a profound disjunction. While technological implementation advances rapidly, the substantive governance required to direct this innovation toward the higher objectives (*maqasid*) of Islamic finance lags, creating a gap where FinTech sukuk risks becoming a vehicle for digitized efficiency without ethical substance.

The research demonstrates that this governance deficit can be effectively bridged not by abandoning tradition, but by returning to and constructively reinterpreting its intellectual heritage. The *usuli* principle of *maslahah* and juristic tools from the Shafi'i and Hanbali schools—most notably *sadd al-dhara'i'* for proactively blocking harmful pathways and the flexible recognition of *'urf* for validating sound technological custom—provide a robust, purpose-driven foundation for modern financial technology governance. These are not archaic restrictions but dynamic, enabling frameworks that compel innovation to actively serve the public good and prevent systemic harms, as mandated by the Prophetic injunction, "لا ضَرَرَ ولا ضِرَارَ".

In response, this paper's primary contribution is the construction and proposition of a Maqasid-Centric Governance Framework. This framework advances the field by moving decisively beyond binary *halal/haram* checks to introduce a continuous, impact-driven oversight cycle. Its core innovation, the Maqasid Governance Dashboard, provides the crucial operational link. By translating the abstract objectives of preserving wealth, intellect, society, faith, and life into tangible, measurable indicators—such as the percentage of funds channeled to real-sector SMEs, demographic reach among the unbanked, and smart contract transparency scores—the dashboard equips regulators (e.g., OJK, Bank Indonesia) and Shariah boards with a practical tool. This enables a transition from a passive role of monitoring for compliance to an active role of steering for impact.

Ultimately, this research establishes a fundamental principle: technological innovation in Islamic finance must be purposefully and systemically steered by its underlying ethical teleology. The proposed framework offers a viable, scholarly-grounded pathway to ensure that FinTech sukuk are not merely digitized replicas of conventional instruments but become genuine vehicles for inclusive growth, equitable development, and the circulation of wealth as commanded in the Qur'an (كَيْ لَا يَكُونَ دُولَةً (بَيْنَ الْأَغْنِيَاءِ مِنْكُمْ)). By integrating the profound wisdom of classical Islamic legal theory with the pragmatic needs of modern governance, this study provides a concrete blueprint for achieving the multiparadigm innovation essential for meaningful economic, social, and cultural transformation, thus fully embodying the visionary theme of SINERGY 2026. Future research must empirically test the proposed dashboard with industry stakeholders and explore its integration with regulatory sandboxes. Furthermore, a comparative study examining the applicability of this maqasid-centric framework across different jurisdictions (e.g., Malaysia, Indonesia, GCC states) would yield valuable insights for global Islamic financial governance.

---

## REFERENCES

- Abdul-Rahman, Y., & Abdul-Latif, S. (2020). The principles of Islamic jurisprudence revisited: A contemporary application to finance. *Journal of Islamic Accounting and Business Research*, 11(3), 589–605. <https://doi.org/10.1108/JIABR-05-2019-0087>
- Abdullah, M. (2018). Islamic legal research: Methodology and approaches. *Journal of Islamic Law Review*, 14(2), 45–68.
- Accounting and Auditing Organization for Islamic Financial Institutions (AAOIFI). (2020). *Shariah Standard No. 62: On financial technology (FinTech)*. AAOIFI.
- Alam, M. M., Akbar, C. S., & Shahriar, S. M. (2021). Shariah governance in Islamic banks: A systematic literature review. *International Journal of Islamic and Middle Eastern Finance and Management*, 14(2), 339–361. <https://doi.org/10.1108/IMEFM-03-2020-0142>
- Al-Dawoody, A. (2017). The Hanbali school of law and its role in modern Islamic finance. *Journal of Islamic Banking and Finance*, 35(2), 23–35.
- Al-Shatibi, I. (1997). *Al-Muwafaqat fi Usul al-Shariah* (M. A. Al-Khamlish, Ed.). Dar Ibn Affan.
- Al-Zuhayli, W. (2015). *Usul al-fiqh al-Islami* (Jil. 1). Dar al-Fikr.
- Ascarya, A., & Hosen, M. N. (2022). Developing smart contract based on shariah principles for Islamic capital market in Indonesia. *Journal of Islamic Monetary Economics and Finance*, 8(1), 23–48. <https://doi.org/10.21098/jimf.v8i1.1425>
- Auda, J. (2021). Maqasid al-Shariah as a legal philosophy: A systems approach. *International Journal of Islamic Thought*, 19(1), 1–14.
- Creswell, J. W., & Poth, C. N. (2018). *Qualitative inquiry and research design: Choosing among five approaches* (ed. ke-4). SAGE Publications.
- Dewan Syariah Nasional - Majelis Ulama Indonesia (DSN-MUI). (2021). \*Fatwa No. 140/DSN-MUI/VIII/2021 tentang Akad Wakalah Bil Istithmar pada Layanan Urun Dana melalui Penawaran Efek Berbasis Teknologi Informasi (Equity Crowdfunding) Syariah\*. DSN-MUI.
- DinarStandard & Elipses. (2023). *Global Islamic Fintech Report 2023*. Salaam Gateway.
- Grassa, R., Farooq, O., & Miniaoui, H. (2021). Shariah governance and regulatory challenges in Islamic finance. *Journal of Financial Regulation and Compliance*, 29(2), 133–152. <https://doi.org/10.1108/JFRC-07-2020-0066>
- Hasan, Z. (2019). A comparative study of Shafi'i and Hanbali methods of Islamic legal reasoning. *International Journal of Fiqh and Usul al-Fiqh Studies*, 3\*(1), 1–18.
- Hasan, Z. (2020). Custom ('urf) and its role in the development of modern Islamic financial products. *Islamic Economic Studies*, 28(1), 77–92.
- Hassan, M. K., Rabbani, M. R., & Abdulla, Y. (2020). Socioeconomic impact of FinTech and blockchain in Islamic finance. Dalam M. K. Hassan, M. R. Rabbani, & M. A.

- H. Karim (Eds.), *FinTech in Islamic financial institutions* (hlm. 57–74). Palgrave Macmillan. [https://doi.org/10.1007/978-3-030-45827-8\\_4](https://doi.org/10.1007/978-3-030-45827-8_4)
- Ibn Majah. (t.t.). *Sunan Ibn Majah* (Jil. 3, Kitab 13, Hadis 2341). Darussalam.
- Ibn Qudamah. (1997). *Al-Mughni* (Jil. 4). Dar Alam al-Kutub.
- Mohieldin, A., Ahmed, H., & Verbeek, J. (2022). The potential of blockchain-based sukuk: A review of prospects and challenges. *Journal of International Financial Markets, Institutions and Money*, 80, 101654. <https://doi.org/10.1016/j.intfin.2022.101654>
- Securities Commission Malaysia. (2023). *Guidance on digital assets*. Shariah Advisory Council.
- Zulhibri, M. (2022). Digital innovation and shariah governance in Islamic finance. *ISRA International Journal of Islamic Finance*, 14(1), 100–118. <https://doi.org/10.55188/ijif.v14i1.435>