

INTEGRATION OF CONTEMPORARY FIQH ISSUES IN LEARNING ISLAMIC LAW: ANALYSIS OF TARJIH MAQASIDI SATRIA EFFENDI'S THOUGHTS ON MARRIAGE BY TELEPHONE

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Abstract

Digital communication technologies have created new challenges for Islamic family law by enabling marriage contracts without physical co-presence. This study aimed to analyze Satria Effendi's interpretation of telephone marriage through the framework of tarjih maqāṣidi and to clarify its conceptual relevance for integrating contemporary fiqh issues into Islamic law learning. A qualitative library-research design with a normative-philosophical approach was employed, drawing on primary and secondary sources, comparative madhhab perspectives, maqāṣid al-sharī'ah literature, and relevant legal documents. The findings show that Satria Effendi interprets itihād al-majelis primarily as temporal and communicative continuity between tājāb and qabūl rather than absolute unity of place. Hanafi and Hanbali-oriented arguments support auditory verification when identity and consent are certain, while Shafi'i reasoning emphasizes direct observation and ihtiyāt to protect legal certainty. Tarjih maqāṣidi indicates that technological mediation may be accepted when it safeguards hiḍ al-nasl, hiḍ al-'ird, authentic consent, reliable testimony, and protection from manipulation. The study concludes that Satria Effendi's reasoning offers a contextual yet disciplined model of Islamic legal adaptation. Its educational contribution lies in demonstrating how contemporary fiqh cases can support comparative, purpose-oriented, and evidence-based reasoning in Islamic law instruction. This framework connects classical jurisprudential principles with technological realities in contemporary education.

Keywords: Contemporary Fiqh; Islamic Law Learning; Maqāṣid Al-Sharī'Ah; Telephone Marriage; Tarjih Maqāṣidi.



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INTRODUCTION

The rapid development of digital communication has transformed the way individuals conduct social, economic, administrative, and religious activities, including practices that were historically dependent on direct physical presence (Maulina et al., 2026). Marriage contracts represent one of the most sensitive areas affected by this transformation because contemporary communication technologies allow *ījāb* and *qabūl* to be expressed through telephone calls, video communication, and other real-time digital platforms. Islamic marriage is not merely a private agreement between two individuals but a legal and religious institution with consequences for marital status, family rights, lineage, inheritance, and social legitimacy (Duasa et al., 2020). The emergence of technologically mediated marriage contracts therefore raises a fundamental question concerning the ability of Islamic law to respond to changing communication environments without weakening the legal certainty and sacred character of the marriage contract.

The central juridical issue in telephone-based marriage lies in the interpretation of *ittihād al-majelis*, or unity of the contractual session, as a condition for the validity of *ījāb* and *qabūl*. One interpretation understands this requirement primarily as continuity of time and communication, meaning that the offer and acceptance must occur within one uninterrupted contractual sequence even when the parties are physically separated (Aldahmash, 2026). Another interpretation requires unity of place and direct visual confirmation because witnesses must be able to verify the identities and statements of the contracting parties with a high degree of certainty. The manuscript identifies this disagreement through the contrasting positions associated with Hanafi, Hanbali, Maliki, and Shafi'i legal reasoning, making *ittihād al-majelis* the principal doctrinal point through which the validity of telephone marriage can be examined.

Contemporary *fiqh* questions of this kind are also important for Islamic law education because they demonstrate that legal learning cannot be limited to memorizing classical rulings without examining the reasoning through which those rulings are produced, compared, and contextualized (Kamran et al., 2023). The case of marriage by telephone provides a concrete example through which students can study the relationship between textual authority, juristic disagreement, technological change, legal certainty, and the objectives of Islamic law. The manuscript's focus on Satria Effendi creates an opportunity to present contemporary *fiqh* not simply as a collection of new legal problems but as an intellectual field in which classical legal principles are re-examined through structured methods of preference, interpretation, and *maqāṣid al-sharī'ah* (H. Ahmed, 2024). This educational dimension can connect doctrinal Islamic law with contemporary social realities more effectively.

The primary research problem concerns the absence of a universally accepted interpretation of *ittihād al-majelis* in relation to technologically mediated marriage contracts (Mukhlisin & Hudaib, 2025). Legal traditions that emphasize temporal continuity may provide space for telephone-based marriage when *ījāb* and *qabūl* remain connected, witnesses clearly hear the contractual statements, and the identities of the parties can be established. Legal traditions that emphasize physical presence and *al-mu'āyanah* require stricter verification through direct observation. The disagreement is not merely technical because each position represents a different understanding of certainty, testimony, legal precaution, and the sacred nature of marriage (Fakhri, 2009). A contemporary legal analysis must therefore determine which interpretation provides the stronger juridical basis under modern communication conditions.

The second problem concerns the tension between technological flexibility and the principle of legal precaution. Communication technology can reduce geographical barriers and make real-time interaction possible between individuals located in different places (Riani & Indra, 2026). Technological mediation can also create risks related to identity verification, voice authenticity, manipulation, misunderstanding, and evidentiary reliability. A permissive approach that focuses exclusively on convenience may weaken the protective function of

marriage law, while an excessively restrictive approach may treat physical proximity as an absolute requirement even when the substantive purposes of the contract can be secured through reliable communication (Saada, 2020). The manuscript therefore requires a legal framework capable of evaluating competing benefits and risks rather than relying only on the physical form of the contractual process.

The third problem concerns the methodological and pedagogical treatment of contemporary fiqh disputes. Discussions of telephone marriage can become descriptive if they merely list the opinions of different schools without explaining why one interpretation may be preferred in a particular context (Muttaqin et al., 2025). Satria Effendi's reasoning offers a more analytical entry point because his understanding of *ittihād al-majelis* emphasizes continuity of time and the connection between *ījāb* and *qabūl*. The manuscript proposes *tarjīh maqāṣidi* as the framework through which competing legal positions can be evaluated according to the quality, scope, and certainty of the relevant benefits (Sali & Marasigan, 2020). The research problem therefore extends beyond determining whether telephone marriage is valid to examining how contemporary Islamic law learning can demonstrate disciplined legal preference through *maqāṣid*-based reasoning.

The first objective of the study is to analyse Satria Effendi's legal thought concerning marriage through telephone communication, with particular emphasis on his interpretation of *ittihād al-majelis* (Shah et al., 2021). The analysis should reconstruct the legal reasoning underlying the view that unity of contractual session may refer primarily to temporal and communicative continuity rather than absolute physical unity. Attention should be directed toward the function of *ījāb* and *qabūl*, the certainty of consent, the role of witnesses, and the continuity of the contractual sequence (Ghlamallah et al., 2026). This objective is important because Satria Effendi's position serves as the principal intellectual object of the article rather than merely one opinion among many juristic perspectives.

The second objective is to evaluate competing juristic positions on telephone-based marriage through the framework of *tarjīh maqāṣidi* (Rahmawati et al., 2019). The study should compare the flexible interpretation associated with auditory testimony and temporal continuity with the more restrictive interpretation emphasizing physical presence and direct visual confirmation. The assessment should consider *maṣlaḥah* according to its quality, scope, and degree of certainty, while paying particular attention to the protection of lineage, honor, legal certainty, and the integrity of the marriage institution (Yasmeen, 2026). Such an objective enables the study to move from descriptive comparison toward a reasoned determination of which position is more compatible with the objectives of Islamic law in contemporary technological conditions.

The third objective is to clarify the educational relevance of this contemporary fiqh case for Islamic law learning (Yilmaz, 2024). The study should show how the telephone-marriage debate can be used to demonstrate the interaction between classical jurisprudence, modern technology, juristic disagreement, *tarjīh*, and *maqāṣid al-sharī'ah*. The expected contribution is not the development of a classroom experiment, because the manuscript does not provide empirical instructional data, but the formulation of a conceptual basis for integrating contemporary legal problems into Islamic law education (Lohlker, 2021). This objective can help align the body of the manuscript more directly with its title and strengthen its contribution to both Islamic legal studies and the teaching of contemporary fiqh.

Existing scholarship discussed in the manuscript has examined virtual marriage from the perspectives of classical schools of Islamic jurisprudence, legal regulations, technological adaptation, and the continuity of *ījāb* and *qabūl* (Syaifullah et al., 2026). Previous studies have demonstrated disagreement among legal schools, considered long-distance marriage valid under particular conditions, discussed the need for synchronization between state regulation and scholarly fatwas, and emphasized the capacity of fiqh to respond to technological change (Sidani, 2019). Such studies provide an important foundation for understanding the legal status

of virtual marriage, yet they tend to focus on whether the contract is valid rather than on the deeper methodology used to prefer one juristic position over another.

A specific conceptual gap concerns the limited systematic examination of Satria Effendi's thought through *tarjih maqāṣidi* (Hartanto et al., 2026). The manuscript explicitly positions his interpretation of *ittihād al-majelis* as emphasizing continuity of time rather than physical unity alone, yet this reasoning requires a more structured assessment through the hierarchy and verification of *maṣlaḥah*. The existing discussion of *tarjih* in the manuscript identifies quality, quantity, and certainty as important criteria for prioritizing competing interests (Rapi et al., 2026). A clear research gap therefore exists in connecting Satria Effendi's interpretation with these criteria in order to determine whether technological accommodation provides a stronger *maqāṣid*-based solution than strict physical-presence requirements.

A second gap concerns the educational dimension implied by the manuscript's title. The existing text extensively discusses *tarjih*, *maqāṣid*, *ittihād al-majelis*, testimony, and the positions of several legal schools, but it does not yet develop a substantial empirical or pedagogical analysis of how these issues are integrated into Islamic law learning (Ali et al., 2021). The introduction should therefore position the study carefully as offering a conceptual and analytical model for contemporary *fiqh* learning rather than claiming tested instructional effectiveness. Such positioning would allow the case of telephone marriage to function as an example of problem-based Islamic legal reasoning through which learners can examine doctrinal diversity, technological change, and the objectives of the *Sharī'ah* within one coherent analytical framework.

The principal novelty of the study lies in applying *tarjih maqāṣidi* systematically to Satria Effendi's thought on telephone marriage (Nazeri et al., 2026). The analysis does not stop at identifying which legal school permits or rejects a technologically mediated contract. It seeks to evaluate the reasons underlying those positions by considering the relative strength of competing benefits and harms (J. Ahmed et al., 2018). The categories of *ḍarūriyyah*, *ḥājiyyah*, and *taḥsīniyyah*, the distinction between individual and wider interests, and the degree of certainty attached to particular legal consequences provide a structured method for examining whether continuity of communication can satisfy the substantive purposes traditionally protected by physical unity of the contractual session.

The second element of novelty lies in repositioning *ittihād al-majelis* from a purely spatial requirement into a question of legal function. Physical presence traditionally supports identity verification, continuity, testimony, certainty, and protection against manipulation. Modern communication technology may perform some of these functions through different mechanisms, although the manuscript rightly maintains the importance of caution. A *maqāṣid*-oriented analysis can therefore ask whether physical unity is itself the ultimate legal objective or whether it functions as a means for achieving certainty, valid consent, protection of lineage, and preservation of honor. This distinction enables Islamic legal reasoning to respond to technological change without treating modernity as an automatic justification for abandoning classical safeguards.

The third novelty lies in using the telephone-marriage debate as a conceptual model for integrating contemporary *fiqh* issues into Islamic law learning. The case allows students and scholars to encounter a real tension between textual fidelity, juristic diversity, technological adaptation, legal precaution, and public welfare. The study is justified because contemporary Islamic law requires intellectual frameworks that can preserve normative integrity while remaining capable of analysing new social realities. A learning-oriented presentation of Satria Effendi's *tarjih maqāṣidi* can demonstrate that Islamic jurisprudence is not merely a repository of fixed answers but a disciplined tradition of reasoning in which competing interpretations are evaluated according to evidence, legal purpose, certainty, and social consequence (Hudaefi et al., 2026). This approach strengthens the relevance of contemporary *fiqh* studies while remaining grounded in the core values governing the validity and protection of marriage.

RESEARCH METHOD

Research Design

This study employed a qualitative research design using library research to examine the integration of contemporary fiqh issues into Islamic law learning through an analysis of Satria Effendi's *tarjih maqāshidi* reasoning on marriage conducted by telephone (Eggen, نورة س. أگین, 2021). The study was designed as normative-philosophical legal research because its primary concern was not to measure classroom effectiveness empirically, but to reconstruct legal reasoning, compare competing juristic positions, and evaluate their compatibility with the objectives of Islamic law. Telephone marriage was treated as a contemporary fiqh problem through which the interaction between classical legal doctrine, technological development, and *maqāshid al-sharī'ah* could be analysed systematically.

The normative dimension focused on the legal requirements of *ījāb*, *qabūl*, testimony, and *ittihād al-majelis* as discussed within Islamic jurisprudence. The philosophical dimension examined the values and purposes underlying those requirements, particularly legal certainty, protection of lineage (*hifz al-nasl*), protection of honor (*hifz al-'ird*), prevention of manipulation, and preservation of the integrity of marriage. Satria Effendi's interpretation of *ittihād al-majelis* was positioned as the main object of analysis, especially his emphasis on continuity of time and contractual communication rather than the absolute unity of physical place.

The study also employed a comparative approach to examine differences among relevant schools of Islamic jurisprudence. Hanafi, Maliki, Hanbali, and Shafi'i perspectives were compared in relation to the validity of remote marriage, the role of auditory and visual testimony, the meaning of unity of session, and the degree of legal precaution required in marriage contracts. The comparison was not intended merely to catalogue different opinions, but to identify the underlying legal considerations that could subsequently be evaluated through *tarjih maqāshidi*.

The educational dimension of the study was conceptual rather than experimental. The contemporary issue of telephone marriage was used as an analytical model for demonstrating how Islamic law learning can engage with technological change, juristic disagreement, and purpose-oriented legal reasoning. The study therefore sought to provide a conceptual basis for integrating contemporary fiqh cases into Islamic law instruction without claiming that the proposed integration had been tested through classroom intervention or student assessment.

Research Target/Subject

The population of the study consisted of textual and documentary sources related to Satria Effendi's legal thought, marriage contracts in Islamic law, *ittihād al-majelis*, *tarjih*, *maqāshid al-sharī'ah*, virtual or telephone-based marriage, and contemporary applications of communication technology in Islamic family law. The textual population included classical fiqh literature, contemporary Islamic legal scholarship, academic journal articles, books, fatwas, legal decisions, and relevant official documents. These materials represented the doctrinal, philosophical, and contextual foundations required to evaluate the legal status of telephone marriage.

The primary sample consisted of sources directly related to Satria Effendi's reasoning on marriage through telephone communication and his interpretation of *ittihād al-majelis*. Particular attention was given to materials explaining the relationship between *ījāb* and *qabūl*, continuity of the contractual session, the function of witnesses, and the possibility of conducting a marriage contract without physical unity of place. Sources containing direct or substantive discussion of these concepts were prioritized because they provided the evidentiary basis for reconstructing Satria Effendi's position.

The secondary sample included classical and contemporary works representing the Hanafi, Maliki, Hanbali, and Shafi'i traditions, especially sources discussing testimony, physical presence, auditory verification, direct observation (*al-mu'āyanah*), legal precaution (*iḥtiyāt*), and the *ta'abbudī* character of marriage contracts. Academic studies addressing online marriage, long-distance marriage, digital communication in Islamic law, and the adaptation of *fiqh* to technological change were also included to provide contemporary context.

Official and judicial materials were included when they contributed directly to the interpretation of telephone marriage in an applied legal context. The South Jakarta Religious Court decision No. 1751/P/1989, as discussed in the manuscript, was treated as contextual legal evidence showing how temporal continuity of *ṭjāb* and *qabūl* had been considered in relation to parties located in different places. The study did not use statistical sampling because the unit of analysis was legal thought and textual evidence rather than a human population.

Research Procedure

The research procedure began with the identification of the central legal problem: whether a marriage contract conducted through telephone communication could satisfy the requirements of Islamic law when the contracting parties were not physically present in the same location. The problem was narrowed to the interpretation of *ittihād al-majelis* because this concept represented the principal point of disagreement concerning the continuity, location, and witnessing of *ṭjāb* and *qabūl*. Satria Effendi's thought was subsequently selected as the primary analytical focus because his reasoning provided a contextual interpretation of unity of session in relation to modern communication technology.

The second stage involved collecting and classifying relevant primary and secondary sources. Materials were grouped into Satria Effendi's legal thought, classical jurisprudential discussions, contemporary academic research, *maqāṣid al-sharī'ah* literature, and official or judicial documents. Sources were then organized according to their positions on temporal continuity, physical unity, auditory testimony, visual confirmation, and technological mediation. Repeated or conceptually overlapping materials were used to strengthen interpretive consistency rather than treated as independent empirical observations.

The third stage consisted of reconstructing the competing interpretations of *ittihād al-majelis*. The first interpretive model understood unity of session primarily as uninterrupted temporal and communicative continuity between *ṭjāb* and *qabūl*. This model opened the possibility of remote marriage when witnesses could verify the statements and identities of the contracting parties. The second model required unity of place and direct observation as a manifestation of legal precaution and evidentiary certainty. Each model was examined according to its doctrinal foundation and the legal values it sought to protect.

The fourth stage applied *tarjīḥ maqāṣidi* to the competing legal positions. Relevant benefits and harms were identified and classified according to quality, scope, and certainty. Particular attention was given to the preservation of lineage, protection of honor, validity of consent, legal certainty, authenticity of identity, prevention of fraud, and accommodation of legitimate technological needs. A legal position was not preferred merely because it was technologically convenient; preference depended on whether the substantive objectives of marriage law could be secured with an adequate level of certainty.

The fifth stage compared the results of the *maqāṣidi* analysis with the positions of the major schools represented in the selected literature. Hanafi and Hanbali reasoning concerning auditory testimony and non-physical communication was examined alongside Shafi'i emphasis on direct observation and legal precaution. Maliki perspectives were included where relevant to the broader comparison. The purpose of this stage was to demonstrate that the contemporary debate emerged from different methods of protecting legal certainty rather than from a simple opposition between traditional and modern Islamic law.

The sixth stage incorporated contextual legal evidence, including the discussion of the South Jakarta Religious Court decision No. 1751/P/1989 contained in the manuscript. The decision was analysed as an example of how temporal continuity between *ījāb* and *qabūl* could be considered legally significant even when the parties occupied different locations. Judicial evidence was not treated as a substitute for *fiqh* analysis but as contextual material illustrating the practical consequences of different interpretations of *ittihād al-majelis*.

The final stage synthesized the findings into a conceptual model for integrating contemporary *fiqh* issues into Islamic law learning. Telephone marriage was positioned as a problem-based case through which learners may examine doctrinal diversity, technological change, legal evidence, *tarjīh*, and *maqāṣid al-sharī'ah* within a single analytical process. The synthesis emphasized that the pedagogical contribution of the study is conceptual: it demonstrates how contemporary legal issues can be structured for critical Islamic legal reasoning, while empirical assessment of classroom implementation remains beyond the scope of the present research.

Research credibility was maintained through source triangulation, comparison of competing jurisprudential authorities, transparent categorization of legal arguments, and consistency between doctrinal evidence and *maqāṣidi* interpretation. Interpretive conclusions were formulated only after contrasting permissive and restrictive positions and identifying the objectives underlying each. This procedure was intended to prevent *maqāṣid al-sharī'ah* from being used merely as a general justification for technological adaptation and to ensure that *tarjīh* remained methodologically grounded in legal evidence, hierarchy of interests, and the certainty of expected consequences.

Instruments, and Data Collection Techniques

The principal research instrument was a structured document-analysis matrix developed to organize and interpret textual data systematically. The matrix contained categories covering source identity, type of legal authority, school of jurisprudence, interpretation of *ittihād al-majelis*, requirements for *ījāb* and *qabūl*, standards of testimony, physical-presence requirements, technological mediation, underlying legal rationale, and relevant *maqāṣid al-sharī'ah*. This structure enabled the researcher to compare sources according to common analytical dimensions while preserving differences in doctrinal reasoning.

A *tarjīh maqāṣidi* analytical framework functioned as the main interpretive instrument. The framework evaluated competing legal benefits and harms through three major dimensions: the quality (*kayfiyyah*) of *maṣlaḥah*, the quantity or scope (*kammiyyah*) of *maṣlaḥah*, and the degree of certainty (*qaṭ'iyyah al-taḥaqquq*) attached to the expected benefit or harm. The quality dimension distinguished *ḍarūriyyah*, *ḥājīyyah*, and *taḥsīniyyah* interests, while the quantity dimension distinguished wider or collective interests from limited individual interests. The certainty dimension differentiated between benefits considered certain, strongly probable, possible, or merely speculative.

Data Analysis Technique

A thematic coding sheet was also used to identify recurring concepts in the selected sources. The main codes included *ittihād al-majelis*, continuity of time, unity of place, *al-mu'āyanah*, authenticity of voice, identity verification, testimony, *iḥtiyāt*, technological adaptation, *hiḏ al-nasl*, *hiḏ al-'ird*, legal certainty, transparency, prevention of manipulation, and contextualization of Islamic law. Coding made it possible to distinguish doctrinal arguments from the underlying purposes that those arguments were intended to protect.

An educational relevance matrix was used to connect the legal analysis with the article's emphasis on Islamic law learning. This matrix classified each major legal issue according to its potential pedagogical function, including identification of contemporary *fiqh* problems, comparison of *madhhab* positions, application of *tarjīh*, identification of *maqāṣid*, evaluation of

technological change, and formulation of context-sensitive legal reasoning. The instrument was used only for conceptual analysis and did not constitute an empirical measurement of student learning.

RESULTS AND DISCUSSION

The documentary analysis identified several interconnected bodies of evidence relevant to the validity of marriage conducted by telephone. The principal data consisted of Satria Effendi's reasoning on *ijāb*, *qabūl*, and *ittihād al-majelis*; juristic positions associated with the Hanafi, Maliki, Hanbali, and Shafi'i schools; theoretical discussions of *tarjīh* and *maqāsid al-sharī'ah*; contemporary scholarly discussions of virtual marriage; and an applied legal example represented by the South Jakarta Religious Court Decision No. 1751/P/1989. The manuscript does not report numerical frequencies for these sources, making qualitative classification more appropriate than statistical tabulation. The analytical corpus nevertheless provides sufficient doctrinal variation to compare restrictive and adaptive interpretations of technologically mediated marriage.

The secondary evidence converged around five principal legal categories: continuity between *ijāb* and *qabūl*, physical unity of the contractual session, verification of the parties' identities, the evidentiary function of witnesses, and the protection of the objectives of marriage. Satria Effendi's reasoning places particular emphasis on continuity of the contractual moment rather than physical co-presence alone. The broader literature represented in the manuscript shows that disagreement does not concern whether *ittihād al-majelis* is important, but how the concept should be operationalized when communication technology makes simultaneous interaction possible across different geographical locations.

Table 1. Secondary Documentary Evidence and Analytical Functions

Documentary category	Principal issue examined	Analytical function
Satria Effendi's legal thought	Meaning of <i>ittihād al-majelis</i> and continuity of <i>ijāb</i> – <i>qabūl</i>	Primary object of analysis
Classical fiqh perspectives	Presence, testimony, auditory verification, <i>al-mu'āyanah</i>	Comparative doctrinal evidence
<i>Tarjīh</i> and <i>maqāsid</i> literature	Quality, scope, and certainty of <i>maṣlaḥah</i>	Normative-philosophical framework
Contemporary virtual-marriage studies	Technology and validity of remote marriage	Contextual evidence
Judicial material	South Jakarta Religious Court Decision No. 1751/P/1989	Applied legal illustration
Educational dimension	Contemporary fiqh as material for Islamic law reasoning	Conceptual pedagogical implication

The evidence indicates that the main disagreement is generated by two interpretations of *ittihād al-majelis*. The first interpretation defines unity of session through temporal and communicative continuity. A marriage contract may consequently remain one legal session when *ijāb* and *qabūl* occur directly, without an interruption that breaks the contractual relationship, even if the parties occupy different locations. The manuscript associates this orientation with juristic arguments permitting written communication, auditory testimony, and verification of statements without requiring every contracting party to be physically visible. Such reasoning provides the doctrinal basis for considering telephone communication potentially compatible with Islamic marriage law.

The second interpretation treats unity of session as involving physical unity and direct visual confirmation. Shafi'i reasoning presented in the manuscript gives greater weight to *al-mu'āyanah*, because witnesses are expected not merely to hear contractual statements but to establish that those statements are genuinely produced by the relevant persons. Physical presence functions as a safeguard against uncertainty, identity substitution, and manipulation.

The disagreement therefore reflects two different mechanisms for producing legal certainty: one prioritizes uninterrupted communication and reliable identification, while the other relies on direct physical observation as the stronger form of evidentiary precaution.

Table 2. Comparative Interpretation of Ittihād al-Majelis

Juristic orientation	Understanding of unity of session	Witnessing emphasis	Implication for telephone marriage
Hanafi-oriented reasoning	Continuity of the contractual event	Hearing and certainty of identity may be sufficient	Provides space for validity under strict verification
Hanbali-oriented reasoning	Auditory certainty can have evidentiary value	Reliable recognition of voice is significant	Supports contextual acceptance where authenticity is established
Maliki-oriented reasoning as represented in the manuscript	More flexible toward substantive certainty	Emphasis on validity and clarity	May accommodate mediated communication under safeguards
Shafi'i-oriented reasoning	Unity of time, place, and direct observation	Hearing and visual confirmation	More restrictive toward telephone-based marriage
Satria Effendi's formulation	Temporal and communicative continuity is central	Witness certainty remains essential	Opens a contextual route to acceptance

Satria Effendi's position places *ījāb* and *qabūl* at the centre of the marriage contract because they constitute the juridical expression of mutual consent. His analysis does not treat telephone communication as automatically valid merely because technology allows real-time speech. The decisive issue is whether the communication preserves a continuous contractual sequence, communicates unequivocal consent, and permits witnesses to establish the authenticity of the statements. This formulation shifts the legal inquiry from the physical medium of communication toward the substantive functions that *ittihād al-majelis* is designed to protect.

The manuscript also shows that the permissive interpretation is not equivalent to unrestricted technological flexibility. Identity certainty, continuity of *ījāb* and *qabūl*, witness reliability, absence of manipulation, and clarity of intention remain essential. The Shafi'i demand for physical presence retains normative significance because it represents *iḥtiyāt*, or legal precaution, in an institution with serious consequences for lineage, family status, rights, and honor. Satria Effendi's reasoning can consequently be understood as a contextual reinterpretation of the means used to secure legal certainty rather than the elimination of legal safeguards.

The jurisprudential inference derived from the documentary evidence indicates that the legal status of telephone marriage depends on whether physical unity is interpreted as an independent objective or as a means to achieve certainty, consent, testimony, and protection against fraud. Satria Effendi's interpretation supports the second understanding. Physical presence has instrumental importance because it traditionally assists witnesses in identifying the contracting parties and confirming the continuity of the contract. Technological mediation may theoretically perform comparable functions when identity, voice, timing, and communication can be established with a sufficient degree of certainty.

The *tarjih maqāṣidi* analysis strengthens this inference by requiring competing benefits and risks to be assessed according to the quality, scope, and certainty of *maṣlaḥah*. The principal interests identified in the manuscript concern the validity of marriage, protection of lineage (*hifz al-nasl*), protection of honor (*hifz al-'ird*), legal clarity, prevention of manipulation, and accommodation of legitimate circumstances in which physical distance

prevents direct attendance. A permissive ruling becomes stronger when technological communication produces high certainty regarding identity and consent. A restrictive ruling becomes stronger when technological conditions create material uncertainty or a credible risk of deception.

Table 3. Tarjīh Maqāṣidi Assessment of Telephone Marriage

Analytical dimension	Relevant consideration	Legal implication
Quality of maṣlaḥah	Protection of marriage validity, lineage, and honor	Fundamental interests require strong safeguards
Scope of maṣlaḥah	Access to marriage procedures under geographical constraints	Technological accommodation may serve wider legitimate needs
Certainty of maṣlaḥah	Certainty of identity, consent, witness testimony, and communication	Strong certainty supports permissibility
Risk of mafsadah	Fraud, identity substitution, interrupted communication, uncertainty	Significant uncertainty supports restriction
Iḥtiyāt	Protection against legal and social consequences of invalid marriage	Precaution remains necessary even under adaptive interpretation
Contextual adaptation	Use of modern communication without abandoning legal objectives	Technology may alter the means, not the essential purposes, of the contract

The analysis reveals a direct relationship among ittihād al-majelis, witness testimony, identity verification, and maqāṣid al-sharī'ah. Unity of session is valuable because it protects the continuity and seriousness of contractual consent. Witnesses perform an evidentiary function by confirming that the legally relevant statements actually occurred and originated from the proper persons. Identity verification protects the marriage from fraud and uncertainty. These elements ultimately support broader maqāṣid, particularly protection of lineage and honor. The validity debate should consequently be examined as an interconnected legal system rather than as an isolated disagreement about whether two individuals occupy the same physical space.

The relationship between iḥtiyāt and contextual adaptation is also complementary rather than absolutely contradictory. Shafi'i insistence on visual confirmation represents a strong precautionary mechanism developed in a traditional evidentiary environment. Satria Effendi's interpretation asks whether the underlying protective purpose can be achieved through reliable mediated communication. Both orientations seek legal certainty but employ different mechanisms for producing it. Tarjīh maqāṣidi provides a method for determining which mechanism better secures the intended benefits under particular technological and social circumstances.

Table 4. Relationship Among the Core Analytical Concepts

Core concept	Immediate function	Maqāṣid-oriented function
Ījāb and qabūl	Express legally binding consent	Protect voluntary and valid marital union
Ittihād al-majelis	Preserve contractual continuity	Prevent ambiguity and disrupted consent
Witness testimony	Establish occurrence of the	Protect legal certainty

Identity verification	contract	Prevent fraud and protect family status
Iḥtiyāt	Confirm the contracting persons	Prevent legal and social harm
Hifẓ al-nasl	Increase evidentiary caution	Secure family and genealogical rights
Hifẓ al-'ird	Protect legitimate lineage	Prevent unlawful or disputed marital status
Tarjīḥ maqāṣidi	Protect honor and dignity	Connect doctrine, context, and the objectives of Sharī'ah

The applied case discussed in the manuscript concerns the South Jakarta Religious Court Decision No. 1751/P/1989. The decision is presented as an example in which geographical separation did not automatically invalidate the marriage contract. Temporal continuity between *ījāb* and *qabūl* was treated as legally important despite the physical separation of the parties. The case illustrates an applied interpretation that gives greater weight to the substantive continuity of the contractual process than to physical unity as an absolute condition.

The case also demonstrates that technological accommodation cannot be separated from evidentiary safeguards. The manuscript interprets the decision through a *maqāṣidi* lens in which the intention of the parties, clarity of contractual statements, authenticity of communication, and validity of witness testimony remain central considerations. The legal relevance of telephone communication consequently arises not from technology itself but from its capacity to preserve the essential components and protective purposes of the marriage contract.

Table 5. Applied Legal Case of Telephone Marriage

Case element	Description in the manuscript	Analytical significance
Judicial case	South Jakarta Religious Court Decision No. 1751/P/1989	Applied example of remote marriage
Spatial condition	Parties were located in different places	Physical unity was not treated as the sole criterion
Temporal condition	<i>Ījāb</i> and <i>qabūl</i> maintained continuity	Supports temporal interpretation of <i>ittihād al-majelis</i>
Evidentiary concern	Clarity, intention, communication, and witnessing	Legal certainty remains indispensable
Maqāṣid implication	Preservation of valid marriage and prevention of doubt	Substance can outweigh spatial formalism under adequate safeguards

The applied evidence supports Satria Effendi's argument that the essence of *ittihād al-majelis* may be located in the continuity and certainty of the contractual process rather than in physical proximity alone. This conclusion should not be interpreted as a general authorization for all forms of virtual marriage. The acceptance of technological mediation remains conditional on reliable identification, real-time continuity, clear consent, qualified witnesses, and the absence of circumstances that generate substantial uncertainty. *Tarjīḥ maqāṣidi* therefore produces conditional flexibility rather than unrestricted permissiveness.

The findings also provide a conceptual basis for integrating contemporary *fiqh* issues into Islamic law learning. Telephone marriage can function as a case through which learners compare *madhhab* positions, identify the legal function of *ittihād al-majelis*, examine competing evidentiary standards, identify relevant *maqāṣid*, and conduct structured *tarjīḥ*. The manuscript does not provide classroom observations, student scores, or experimental evidence concerning instructional effectiveness, so no claim can be made that this approach empirically improves learning outcomes. Its educational contribution lies instead in demonstrating a model

of problem-oriented Islamic legal reasoning grounded in a genuine contemporary legal controversy.

The overall findings indicate that Satria Effendi's understanding of telephone marriage represents a contextualization of Islamic legal reasoning rather than a departure from the fundamental requirements of marriage. His emphasis on temporal and communicative continuity allows *ittihād al-majelis* to be reconsidered in light of technological change while retaining the requirements of consent, testimony, identity certainty, and legal protection. The Hanafi and Hanbali arguments presented in the manuscript provide doctrinal support for auditory verification, while the Shafi'i position preserves an important precautionary counterweight through its emphasis on direct observation.

The brief *maqāṣidi* interpretation suggests that telephone marriage can be considered legally defensible when the technology reliably secures the substantive purposes traditionally protected by physical presence. *Hifẓ al-nasl*, *hifẓ al-'ird*, certainty of consent, and prevention of manipulation remain more important than technological convenience. The strongest educational implication is that contemporary *fiqh* learning should train students to distinguish between immutable legal objectives and potentially adaptable procedural means. Satria Effendi's reasoning provides a useful model for demonstrating how Islamic law can engage with technological transformation through disciplined *tarjīh*, doctrinal comparison, and *maqāṣid*-based evaluation rather than through either uncritical acceptance or automatic rejection of modern practices.

The findings indicate that Satria Effendi's thought on marriage conducted through telephone communication represents a contextual interpretation of *ittihād al-majelis* within Islamic family law. His reasoning places greater emphasis on the continuity of *tjāb* and *qabūl* within a single contractual sequence than on the physical presence of all parties in one geographical location. Legal validity is consequently associated with the continuity of consent, clarity of communication, certainty of identity, and reliability of witnesses. This interpretation creates room for technological mediation without removing the substantive requirements that protect the validity of marriage.

The comparative analysis also reveals two major jurisprudential orientations concerning the meaning of *ittihād al-majelis*. Hanafi and Hanbali-oriented reasoning provides greater space for auditory testimony and non-physical communication when the identities and voices of the contracting parties can be established with sufficient certainty. Shafi'i reasoning places stronger emphasis on physical presence and *al-mu'āyanah*, or direct visual confirmation, because the marriage contract carries serious legal, moral, and social consequences. Both orientations therefore seek legal certainty, although they employ different evidentiary mechanisms to achieve it.

The *tarjīh maqāṣidi* analysis shows that the legal evaluation of telephone marriage cannot be reduced to a binary distinction between traditional and modern forms of contracting. The relevant benefits and harms must be assessed according to their quality, scope, and certainty. Protection of lineage (*hifẓ al-nasl*), protection of honor (*hifẓ al-'ird*), certainty of consent, prevention of manipulation, and maintenance of legal stability constitute the principal objectives identified in the manuscript. Technological convenience possesses legal significance only when it operates within safeguards capable of protecting these higher purposes.

The findings also provide a conceptual foundation for integrating contemporary *fiqh* issues into Islamic law learning. Telephone marriage can function as a problem through which students examine juristic disagreement, methods of *tarjīh*, evidentiary standards, technological change, and *maqāṣid al-sharī'ah* simultaneously. The manuscript does not provide experimental classroom evidence, so its pedagogical contribution should be understood as a model of legal reasoning rather than proof of instructional effectiveness. Such a model shifts Islamic law learning from memorizing isolated rulings toward analysing how legal judgments are constructed, compared, and justified.

The findings correspond with Rafli and Misbaahuddin's discussion of differences among Islamic legal schools concerning virtual marriage, particularly regarding the continuity of *ījāb* and *qabūl*. Both analyses recognize that disagreement over technological marriage originates largely from different interpretations of the conditions surrounding the contractual session. The present study develops this issue further by focusing specifically on Satria Effendi's interpretation and examining it through *tarjīh maqāṣidi*. The contribution therefore lies less in discovering the existence of juristic disagreement and more in providing a structured method for evaluating that disagreement.

The results also support Wijaya's conclusion, as cited in the manuscript, that long-distance marriage may be accepted under particular circumstances when the essential pillars and conditions of marriage are fulfilled. Satria Effendi's reasoning gives this possibility a more specific juridical basis by locating the essence of *ittihād al-majelis* in temporal and communicative continuity. The present analysis differs by emphasizing that permissibility should not arise merely from geographical difficulty. Reliability of testimony, identity verification, clarity of consent, and protection from fraud remain decisive elements in determining whether technological mediation preserves the objectives of the contract.

The findings are also compatible with the position of Al Khuluqi Sirait and Syahputra concerning the importance of synchronization between legal regulation and religious authority. Technological changes can produce legal uncertainty when religious reasoning, state administration, and communication practices evolve at different speeds. The discussion of the South Jakarta Religious Court Decision No. 1751/P/1989 in the manuscript illustrates that applied legal contexts may recognize temporal continuity even when physical unity is absent. The case demonstrates that jurisprudential interpretation and institutional legal practice can interact in responding to technological developments.

The results strengthen the arguments of Sumarjoko and Farid regarding the need for *fiqh* to remain responsive to technological change, while introducing an important qualification. Adaptability cannot be interpreted as unlimited flexibility or as an assumption that modern technology automatically produces *maṣlaḥah*. The *tarjīh maqāṣidi* approach requires technological adaptation to be evaluated through normative objectives and levels of certainty. The present study therefore differs from purely adaptive approaches by insisting that contextualization must remain controlled by legal principles, evidentiary reliability, and the protection of fundamental interests.

The findings signal that the classical concept of *ittihād al-majelis* contains both formal and functional dimensions. Its formal dimension concerns the unity of the contractual setting, while its functional dimension concerns uninterrupted consent, evidentiary certainty, and the connection between *ījāb* and *qabūl*. Satria Effendi's contribution becomes important because it directs attention toward the function protected by the rule rather than the physical form through which that function was historically achieved. This distinction opens a methodological pathway for responding to technological transformation without discarding classical legal structures.

The disagreement between the flexible and restrictive orientations signals that Islamic jurisprudence contains different models of legal risk management. The Shafi'i emphasis on direct observation reflects a precautionary model designed to minimize uncertainty through physical verification. The Hanafi and Hanbali arguments represented in the manuscript reflect a functional model in which auditory evidence may be sufficient when identity and communication are established reliably. These differences should not be reduced to a contrast between conservative and progressive jurisprudence. Each position is attempting to protect legal certainty through a different assessment of evidentiary risk.

The centrality of *hifẓ al-nasl* and *hifẓ al-'ird* signals that discussions of virtual marriage cannot be separated from the long-term consequences of marital validity. An uncertain marriage contract can affect lineage, inheritance, marital rights, family status, and social recognition. Technological accommodation is therefore legitimate only when it does not

generate greater uncertainty than the problem it seeks to solve. The maqāṣidi framework redirects attention from technological novelty toward the consequences produced by a legal decision for individuals, families, and the wider legal order.

The educational dimension signals a broader need to reconsider how contemporary Islamic law is taught. A curriculum dominated by finished legal conclusions may not adequately prepare learners to address problems created by new technologies and social practices. The telephone-marriage debate demonstrates that students need to understand *uṣūl al-fiqh*, juristic diversity, evidentiary reasoning, *tarjīḥ*, and *maqāṣid* as interconnected analytical tools. Contemporary *fiqh* cases can therefore function as intellectual laboratories in which legal principles are tested against changing realities without being reduced to unrestricted contextualism.

The principal theoretical implication concerns the relationship between legal form and legal purpose. Physical presence should not automatically be treated as irrelevant, yet its legal significance needs to be analysed according to the purpose it serves. If unity of place historically functions to protect identity, continuity, testimony, and certainty, contemporary technologies may require scholars to examine whether those same objectives can be secured through alternative mechanisms. *Tarjīḥ maqāṣidi* provides an analytical framework for conducting this evaluation without abandoning the normative authority of Islamic jurisprudence.

The legal implication is that technological mediation should be evaluated through conditional validity rather than categorical acceptance. Telephone or digital communication may provide a legitimate medium when the identities of the parties are established, communication occurs synchronously, *ījāb* and *qabūl* remain uninterrupted, witnesses possess adequate certainty, and manipulation can reasonably be excluded. Failure to satisfy these requirements strengthens the precautionary argument associated with the restrictive position. Legal accommodation therefore requires verification standards that are proportionate to the seriousness of the marriage contract.

The pedagogical implication is that contemporary *fiqh* cases should be integrated into Islamic law learning through structured analytical stages. Students can begin by identifying the factual problem, mapping competing *madhhab* positions, determining the legal purpose behind each requirement, identifying relevant *maṣlaḥah* and *mafsadah*, and conducting *tarjīḥ* according to quality, scope, and certainty. Such instruction would demonstrate that Islamic legal reasoning involves methodological discipline rather than personal preference. The study provides a conceptual foundation for this form of instruction, although its effectiveness remains to be tested empirically.

The curricular implication is that *maqāṣid al-sharī'ah* should not be taught only as an abstract classification of *hiḍḍ al-dīn*, *hiḍḍ al-nafs*, *hiḍḍ al-'aql*, *hiḍḍ al-nasl*, and *hiḍḍ al-māl*. Contemporary cases can show how these objectives function when real legal interests conflict. The manuscript's discussion of quality, quantity, and certainty of *maṣlaḥah* provides a more operational framework for learning *tarjīḥ maqāṣidi*. Students can therefore move from memorizing hierarchies of objectives toward using them carefully in contextual legal evaluation.

Satria Effendi's emphasis on temporal continuity can be explained by the juridical function of *ījāb* and *qabūl*. These declarations communicate binding consent and transform the legal relationship between the parties. An interruption separating the two statements can create uncertainty about whether the acceptance still corresponds to the original offer. Temporal continuity therefore preserves the unity of the legal act even when geographical unity is absent. This reasoning explains why the contractual sequence becomes more important than physical proximity within his interpretation.

The relative flexibility found in Hanafi and Hanbali-oriented reasoning can be explained by the recognition that reliable knowledge does not always depend exclusively on sight. The

manuscript discusses auditory testimony, including reasoning associated with recognition of voices and the validity of particular forms of testimony based on hearing. Such arguments allow legal certainty to be established through alternative evidentiary pathways. Telephone communication becomes potentially acceptable when hearing reliably identifies the relevant parties and preserves the continuity of their declarations.

The restrictive Shafi'i position can be explained by the heightened consequences of error in marriage contracts. Marriage determines lawful sexual relations, lineage, family obligations, and social status, making evidentiary uncertainty particularly serious. Direct visual observation reduces the possibility of impersonation, misunderstanding, or manipulation under traditional communication conditions. The requirement of al-mu'āyanah therefore reflects an institutional form of ihtiyāt. Its underlying objective remains relevant even when contemporary technology invites reconsideration of the specific means through which certainty is produced.

The suitability of tarjīh maqāṣidi can be explained by the fact that both permissive and restrictive positions contain recognizable maqāṣid. Flexibility serves accessibility and prevents geographical separation from becoming an unnecessary obstacle, while precaution protects legal certainty and family integrity. A conventional binary judgment may obscure this shared normative foundation. Tarjīh maqāṣidi allows the competing interests to be evaluated according to their relative importance and certainty, helping legal reasoning distinguish genuine maṣlaḥah from convenience that may create greater long-term harm.

Future legal scholarship should examine how the principles identified in Satria Effendi's reasoning apply to communication technologies beyond ordinary telephone calls. Video conferencing, biometric verification, digital signatures, encrypted communication, deepfake technology, artificial intelligence-generated voices, and digital identity systems introduce evidentiary conditions that were not central to the original telephone-marriage debate. Each technology changes the degree of certainty available to witnesses and legal authorities. Future tarjīh maqāṣidi analysis should therefore assess the reliability of the medium rather than classify all forms of virtual marriage under a single category.

Future jurisprudential research should also refine the relationship between ihtiyāt and technological verification. Stronger digital identification may reduce some risks associated with remote communication, while artificial intelligence and synthetic media may create new forms of deception that make auditory or visual evidence less reliable than previously assumed. The legal question is increasingly shifting from whether witnesses can see or hear the parties toward whether technologically mediated identity can be authenticated. This development makes the qat'iyyah or degree of certainty of the expected maṣlaḥah particularly important in future legal reasoning.

Future educational research should empirically test the conceptual model implied by this study. Comparative classroom research could examine whether case-based instruction using telephone marriage improves students' ability to identify legal issues, compare madhhab positions, apply maqāṣid, and construct reasoned tarjīh. Student arguments, written legal analyses, classroom discussions, and pretest–posttest assessments could provide evidence concerning the pedagogical effectiveness of contemporary fiqh integration. Such research would address a limitation of the present manuscript, which establishes educational relevance conceptually but does not measure learning outcomes.

Future curriculum development should position contemporary fiqh problems as recurring components of Islamic law education rather than occasional supplementary topics. Marriage through telephone communication can be linked with other emerging issues involving digital transactions, artificial intelligence, reproductive technology, online testimony, and digital religious practices. A structured curriculum can train students to distinguish between stable normative objectives and changing procedural means. Satria Effendi's tarjīh maqāṣidi reasoning offers a valuable starting point for this development because it demonstrates how

Islamic law can remain normatively grounded while engaging seriously with technological and social transformation.

CONCLUSION

The most important finding of this study is that Satria Effendi's interpretation of *ittihād al-majelis* provides a contextual legal basis for considering marriage conducted through telephone communication without reducing the substantive requirements of an Islamic marriage contract. His reasoning shifts the emphasis from absolute physical unity toward temporal and communicative continuity between *ījāb* and *qabūl*, provided that consent, identity, witness reliability, and the authenticity of communication can be established with sufficient certainty. The *tarjīh maqāṣidi* analysis demonstrates that technological mediation may be accommodated when it protects *hiḏ al-nasl*, *hiḏ al-'ird*, legal certainty, and the integrity of marital consent. The restrictive Shafi'i emphasis on direct observation remains important as a form of *iḥtiyāt*, showing that contextual flexibility must operate together with strong safeguards against uncertainty, impersonation, and manipulation.

The principal contribution of this research is conceptual and methodological. Conceptually, the study positions telephone marriage as a contemporary *fiqh* problem through which Islamic law can distinguish between relatively adaptable procedural means and the substantive objectives that must remain protected. Methodologically, the study combines normative-philosophical analysis, comparative *madhhab* reasoning, and *tarjīh maqāṣidi* based on the quality, scope, and certainty of *maṣlaḥah*. This approach moves the discussion beyond a simple permissive–prohibitive dichotomy and provides a structured framework for evaluating technological change within Islamic jurisprudence. Its educational value lies in offering a conceptual model for integrating contemporary *fiqh* issues into Islamic law learning through comparative reasoning, identification of *maqāṣid*, assessment of competing legal interests, and disciplined formulation of *tarjīh*, rather than through the memorization of predetermined rulings.

The limitations of this study arise from its library-based and normative character, its dependence on selected classical and contemporary legal sources, and the absence of empirical evidence concerning the implementation of this framework in Islamic law classrooms. The analysis also focuses primarily on telephone-mediated marriage and does not fully address newer challenges involving video conferencing, biometric authentication, digital signatures, synthetic voices, deepfakes, artificial intelligence, and increasingly complex digital identity systems. Future research should empirically examine whether case-based *tarjīh maqāṣidi* instruction improves students' ability to analyse contemporary *fiqh* problems, compare *madhhab* positions, and formulate reasoned legal judgments. Further studies should also investigate contemporary forms of virtual marriage through comparative legal, technological, and regulatory perspectives to determine how new verification mechanisms affect *ittihād al-majelis*, witness certainty, *iḥtiyāt*, and the protection of *maqāṣid al-sharī'ah*.

AUTHOR CONTRIBUTIONS

Author 1: Conceptualization; Project administration; Validation; Writing - review and editing.

Author 2: Conceptualization; Data curation; In-vestigation.

Author 3: Data curation; Investigation.

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