

# DILALAT MAFHUM AL-MUWAFQAQAH AS A METHOD OF ISTINBAT : AN ANALYSIS OF QAWA'ID USULIYYAH IN ADDRESSING DIGITAL LEGAL PROBLEMS

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## Abstract:

The rapid development of digital technology has generated various legal issues that are not explicitly regulated in the *Qur'an* and *Sunnah*. This situation requires a method of *istinbat* capable of bridging classical legal texts with contemporary realities. This study aims to explain the construction of *mafhum al-muwafaqah* within the framework of *usul al-fiqh*, analyze its application to contemporary digital legal issues, and identify its methodological limitations and relevance to contemporary *ijtihad*. This research employs a normative legal approach with a qualitative method by examining classical *usul al-fiqh* literature and contemporary scholarly works. The data were analyzed using content analysis, *usuliyyah* analysis, and a deductive approach. The findings reveal that *mafhum al-muwafaqah* operates through an extension of textual meaning based on the indication of the legal wording (*dalalat al-laḥẓ*), enabling it to provide legal justification for issues such as deepfake technology, digital fraud, and personal data privacy violations. Nevertheless, its application is subject to methodological limitations, particularly regarding the strength of textual indications and its potential overlap with *qiyas*. Therefore, integrating *mafhum al-muwafaqah* with other approaches, particularly *maqasid al-shariah*, is essential to produce legal rulings that are more comprehensive, methodologically coherent, and responsive to contemporary legal challenges.

**Keywords:** *mafhum al muwafaqah; usul al-fiqh; digital law; legal reasoning; maqasid al shariah*

## Introduction

The development of digital technology has driven significant changes in various aspects of human life,<sup>1</sup> including the fields of law and religious practice. This transformation is reflected in the emergence of phenomena such as financial technology, artificial intelligence, and digital platform-based social interactions that transcend geographical boundaries. In the context of Islamic law, these developments require methodological adaptation to ensure that the law remains relevant to contemporary realities without losing its normative foundation. *Ushul fiqh* as a methodology of *istinbat* plays a strategic role in responding to these dynamics, as it provides an epistemological framework capable of connecting *syar'i* texts with continuously evolving social conditions.<sup>2</sup>

More specifically, digital legal issues arise from the increasing number of new cases that have no explicit basis in the *nash*, whether from the Qur'an or *hadith*. Phenomena such as algorithm-based digital transactions, personal data protection, and digital information manipulation create new complexities that cannot be adequately addressed through a purely literal approach. This condition demonstrates the limitations of interpretative methods that focus solely on explicit meanings (*manṭūq*), thereby requiring an approach capable of exploring the implicit meanings embedded within legal texts. In this regard, the study of *dilalat al-alfaz*, particularly *dilalat mafhūm al-muwāfaqah*, becomes important to be examined in depth as part of *qawā'id uṣūliyyah*.<sup>3</sup>

One possible solution is to systematically reconstruct the position of *dilalat mafhūm al-muwāfaqah* within the framework of *qawā'id uṣūliyyah*. This concept enables legal reasoning to be derived

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<sup>1</sup> Hani'atul Khoiroh, "Dampak Pembelajaran Kitab Ayyuha Al-Walad Terhadap Pembentukan Karakter Holistik Individu Pada Masyarakat Digital," *MIYAH : Jurnal Studi Islam* 21, no. 01 (2025): 189–213.

<sup>2</sup> Zulwida Rahmayeni et al., "Peran Ushul Fiqih Dalam Menyikapi Tantangan Syariah Compliance Pada Lembaga Keuangan Digital Di Era Ekonomi Islam Modern," *El-Kahfi | Journal of Islamic Economics* 5, no. 01 (2024): 444–56, <https://doi.org/10.58958/elkahfi.v5i02.384>.

<sup>3</sup> Ummi Kaltsum Karunianing Utami, Moh Bahrudin, and Syamsul Hilal, "KONTRIBUSI PRINSIP USHUL FIQH DALAM PRAKTIK TRANSAKSI DIGITAL TERHADAP KEBERLANJUTAN UMKM," *Iqtishaduna: Jurnal Ilmiah Mahasiswa Hukum Ekonomi Syari'ah* 7, no. 2 (2026): 1253–66, <https://doi.org/10.24252/iqtishaduna.v7i2.63371>.

from implicit meanings that correspond to, or even possess stronger implications than, the explicit meanings stated in the *nash*. Thus, *mafhum al-muwāfaqah* may function as an instrument of *istinbāt* that is not merely linguistic, but also rational and contextual. Such an approach opens broader opportunities for the development of Islamic law that remains text-based while maintaining flexibility in responding to emerging realities.<sup>4</sup>

Previous studies on *mafhum al-muwāfaqah* in *uṣūl al-fiqh* have generally focused on its theoretical foundations and its application to classical *fiqh* issues. These studies explain that *mafhum al-muwāfaqah* is a method of legal reasoning that derives legal rulings by extending the meaning of a text through its linguistic indication, thereby connecting the explicit and implicit meanings of the *naṣṣ*.<sup>5</sup> In addition, research on linguistic methods in *uṣūl al-fiqh* has demonstrated that this approach remains relevant for addressing contemporary legal issues because it preserves the relationship between the textual sources and evolving social realities.<sup>6</sup> However, most of these studies remain at the conceptual level and have not specifically addressed legal challenges arising in the digital era.

To date, no study has specifically reconstructed *mafhum al-muwāfaqah* as a method of *istinbāt* to analyze cases such as deepfakes, digital content manipulation, electronic transaction fraud, and personal data breaches. This study seeks to fill that gap by demonstrating that *mafhum al-muwāfaqah* is not merely a theoretical concept but also an operational method of legal reasoning that can be systematically applied to contemporary digital legal issues.

In addition, several previous studies have shown that the methodology of *uṣūl al-fiqh* remains relevant for addressing legal issues in the digital era, although their discussions are generally limited to specific methods of legal reasoning. Rahmayeni et al. argue that the

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<sup>4</sup> Hasbi Umar and Husin Bafadhal, "EVOLUSI USHUL FIQH DALAM SEJARAH INTELEKTUAL ISLAM," *Jurnal Inovasi Hukum Dan Kebijakan* 6, no. 4 (2025).

<sup>5</sup> Mawardi et al., "Mafhum Muwafaqah Dan Implikasinya Terhadap Masalah-Masalah Furu'iyah," *Hukum Islam* 21, no. 1 (2021): 95–113, <https://doi.org/10.24014/jhi.v21i1.10445>.

<sup>6</sup> Sri Wahyuni and Enjang Burhanuddin Yusuf, "Klafikasi Metode Kebasahan Dalam Ushul Fqh," *Tsaqofah: Jurnal Penelitian Guru Indonesia* 5, no. 4 (2025): 3413–28, <https://doi.org/10.58578/tsaqofah.v5i4.6308>.

principles of *uṣūl al-fiqh*, particularly *qiyās* and *maqāṣid al-sharīʿah*, play an important role in maintaining *Shariʿah* compliance in digital financial institutions. However, their study does not specifically examine *mafhūm al-muwāfaqah* as a method of legal reasoning.<sup>7</sup> Abdullah et al. develop a contemporary fiqh framework to respond to digital transformation through a modern *ijtihād* approach, but their analysis mainly focuses on *maqāṣid al-sharīʿah* and does not discuss *dalālat al-alfāz* within *uṣūl al-fiqh*.<sup>8</sup> Similarly, Utami et al. examine the contribution of *uṣūl al-fiqh* principles to digital business transactions among small and medium enterprises (SMEs). Their findings highlight the importance of a normative approach in responding to technological developments, yet they do not position *mafhūm al-muwāfaqah* as the primary analytical framework.<sup>9</sup> Therefore, this study offers a different perspective by reconstructing *mafhūm al-muwāfaqah* as a method of legal reasoning based on *qawāʿid uṣūliyyah* and by examining its application to contemporary digital legal issues, including deepfakes, digital fraud, and personal data breaches.

Nevertheless, previous studies have generally focused on broad methods of *istinbat* such as *qiyas*, *istihṣān*, and *maṣlaḥah mursalah* in addressing contemporary legal issues. Discussions on *maḥbūm al-muwāfaqah* remain largely confined to theoretical debates within classical fiqh and have not been extensively developed in the context of modern digital law. On the other hand, studies on Islamic law in the digital era tend to emphasize normative and *maqāṣid*-based approaches without deeply elaborating the linguistic instruments of *uṣūl fiqh*. This condition indicates the existence of a research gap between the theory of *dilālat al-alfāz* and its application to digital legal problems.<sup>10</sup>

<sup>7</sup> Rahmayeni et al., “Peran Ushul Fiqih Dalam Menyikapi Tantangan Syariah Compliance Pada Lembaga Keuangan Digital Di Era Ekonomi Islam Modern.”

<sup>8</sup> Jundi Soehardin Abdullah, Muhammad Jailani, and Husna Nashihin, “Contemporary Fiqh Framework in the Era of Digital Transformation: New Challenges and Opportunities,” *At Turots: Jurnal Pendidikan Islam*, 2025, 979–87, <https://doi.org/10.51468/jpi.v7i2.1292>.

<sup>9</sup> Utami, Bahrudin, and Hilal, “KONTRIBUSI PRINSIP USHUL FIQH DALAM PRAKTIK TRANSAKSI DIGITAL TERHADAP KEBERLANJUTAN UMKM.”

<sup>10</sup> Abdullah, Jailani, and Nashihin, “Contemporary Fiqh Framework in the Era of Digital Transformation: New Challenges and Opportunities.”

Based on these conditions, this study offers a novel contribution through an integrative analysis between the theoretical construction of *dalālat mafhūm al-muwāfaqah* within *qawā'id uṣūliyyah* and its application to legal issues in the digital era. This research aims to: (1) explain the construction of *mafhūm al-muwāfaqah* within the framework of *uṣūl fiqh*, (2) analyze its application in digital legal cases, and (3) identify its methodological limitations and relevance in contemporary *ijtihād*. Accordingly, this study is expected to produce an operational and contextual model of legal analysis.

The urgency of this research lies in the pressing need to develop methods of *istinbāt* capable of systematically and responsibly addressing the complexity of legal issues in the digital era. Without adequate methodological development, Islamic law may experience stagnation and difficulty in responding to rapid technological changes. Therefore, strengthening the role of *mafhūm al-muwāfaqah* as part of *qawā'id uṣūliyyah* is essential to ensure that contemporary *ijtihād* remains relevant, adaptive, and grounded in the principles of *shari'ah*.<sup>11</sup>

## Literature Review

Studies on the methodology of *uṣūl al-fiqh* in responding to the development of digital technology indicate that the principles of Islamic legal reasoning (*istinbāt*) remain relevant for addressing contemporary legal issues. Rahmayeni et al. demonstrate that *qiyās* and *maqāṣid al-shari'ah* play an important role in maintaining *Shari'ah* compliance in digital financial institutions. However, their study primarily focuses on the application of *uṣūl al-fiqh* principles in the financial sector and does not examine *mafhūm al-muwāfaqah* as a method of legal reasoning based on *dalālat al-alfāz*.<sup>12</sup> Likewise, Abdullah et al. emphasize the need to develop fiqh methodology in response to digital transformation through a contemporary *ijtihād* approach. Nevertheless, their analysis is mainly centered on *maqāṣid al-*

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<sup>11</sup> Umar Laila, Muammar Muhammad Bakry, and Abdul Rauf Muhammad Amin, "PERKEMBANGAN USHUL FIQH DI ERA MODEREN: TRANSFORMASI METODOLOGIS DAN PARADIGMA IJTihad KONTEMPORER," *Iqtishaduna: Jurnal Ilmiah Mahasiswa Hukum Ekonomi Syari'ah* 6, no. 4 (2025): 1664–73, <https://doi.org/10.24252/iqtishaduna.v6i4.58824>.

<sup>12</sup> Rahmayeni et al., "Peran Ushul Fiqih Dalam Menyikapi Tantangan Syariah Compliance Pada Lembaga Keuangan Digital Di Era Ekonomi Islam Modern."

*shariah* and does not elaborate on the construction of *mafhum al-muwafaqah* as a method of *istinbat*.<sup>13</sup>

In *ushul fiqh*, *mafhum al-muwafaqah* is understood as a form of *dalalat al-alfaz* in which a legal ruling extends to matters that are not explicitly mentioned in the *nass* because they share the same underlying meaning or embody it more strongly than the case expressly stated in the text. This method derives legal rulings by extending the meaning within the scope of the textual indication, making it fundamentally different from *qiyas*, which relies on analogical reasoning based on the effective legal cause (*illah*).<sup>14</sup> Based on this mechanism, *mafhum al-muwafaqah* is divided into two forms: *fahwa al-khitab*, which applies when the legal ruling for the unmentioned case is stronger than that of the case explicitly mentioned in the *nass*, and *lahn al-khitab*, which applies when both cases carry the same legal status.<sup>15</sup> To ensure its methodological validity within *ushul fiqh*, the application of *mafhum al-muwafaqah* must be supported by a clear textual indication, be consistent with the legal objective embedded in the *nass*, and not conflict with other *sharia* evidence of higher authority. These characteristics demonstrate that *mafhum al-muwafaqah* functions not only as a method of linguistic interpretation but also as an instrument of *istinbat* capable of bridging the normative provisions of the *nass* with newly emerging legal issues. Although the concept of *mafhum al-muwafaqah* has been widely discussed in classical *ushul fiqh* literature, its application in contemporary scholarship remains largely confined to conventional fiqh issues. To date, few studies have specifically reconstructed *mafhum al-muwafaqah* as a method of *istinbat* for analyzing digital legal issues such as deepfakes, digital content manipulation, electronic transaction fraud, and personal data breaches. This study employs *mafhum al-muwafaqah* as its analytical framework to examine whether digital legal issues that are not explicitly addressed in the *nass* can be incorporated into existing legal rulings through an extension of meaning derived from the textual indication. The analysis begins by identifying relevant legal provisions in the Qur'an and the Sunnah and

<sup>13</sup> Abdullah, Jailani, and Nashihin, "Contemporary Fiqh Framework in the Era of Digital Transformation: New Challenges and Opportunities."

<sup>14</sup> Mawardi et al., "Mafhum Muwafaqah Dan Implikasinya Terhadap Masalah-Masalah Furu'iyah."

<sup>15</sup> Abdul Aziz Al-Rais, *Qawaid Ushuliyyah Wa Tathbiqot Fiqhiyyah*, 1442, h. 48.

then examining their underlying legal objectives to determine the correspondence between the *nass* and the digital phenomena under investigation. On this basis, the study positions *mafhum al-muwafaqah* as the primary analytical framework for evaluating the extent to which this method can address contemporary digital legal issues while identifying its methodological boundaries within the context of contemporary *ijtihad*.

## Research Method

This study employs normative legal research with a qualitative character. Normative legal research focuses on the examination of legal norms, principles, and doctrines derived from textual sources, both classical and contemporary, without involving empirical field data collection. The qualitative approach is used to understand and interpret the concept of *mafhum al-muwafaqah* within the framework of *qawā'id uṣūliyyah* and to evaluate its relevance to digital legal issues in a comprehensive and systematic manner.

The approaches applied in this research include the conceptual approach and the analytical approach. The conceptual approach is used to examine the theoretical construction of *mafhum al-muwafaqah* in the literature of *uṣūl fiqh*, particularly within the discussion of *dalālat al-alfāz*. This approach is essential for positioning the concept within the structure of *qawā'id uṣūliyyah*. Meanwhile, the analytical approach is employed to examine the application of the concept to legal problems in the digital era through a logical and structured process of legal reasoning. The combination of these two approaches enables the study not only to remain at the conceptual level, but also to produce applicable analyses within a contemporary context.

The data used in this study consist of primary and secondary sources. The primary sources include classical *uṣūl fiqh* texts that serve as the main references for understanding the construction of *mafhum al-muwafaqah*, particularly its theoretical foundation in *dalālat al-alfāz*. These sources include Mudhakarrah Ushul Fiqh 'Ala Rawdah al-Nazhir by Muhammad al-Amin al-Shinqiti, Ushul Fiqh Alladhi La Yasa'u al-Faqih Jahluhu by Iyadh al-Sulamy, as well as other authoritative works on *uṣūl fiqh*. The secondary sources consist of contemporary scholarly literature, including peer-reviewed journal articles, academic books, and other publications on Islamic law and

digital transformation. The combination of these primary and secondary sources enables the study to integrate classical and contemporary perspectives within a coherent analytical framework.

The data analysis technique is conducted through several stages. First, content analysis is used to identify and classify the main concepts within the literature related to *mafhūm al-muwāfaqah*. This technique enables the researcher to systematically extract textual meanings. Second, *uṣūliyyah* analysis is employed to examine the strength of legal arguments based on the principles of *uṣūl fiqh*, particularly in understanding the relationship between explicit and implicit meanings within the process of *istinbāt*. Third, a deductive approach is applied to draw conclusions from general principles toward their application in more specific digital legal cases. Through these stages, the study is expected to produce analyses that are logical, systematic, and relevant to the needs of contemporary *ijtihād*.

## Result and Discussion

### **The Construction of *Mafhum al-Muwafaqah* as a Method of *Istinbat* in *Ushul Fiqh***

The concept of *mafhūm al-muwāfaqah* functions as a method of understanding legal rulings by extending the scope of meaning derived from the expressions found in Islamic legal texts. This approach does not stop at the directly stated meaning, but also includes other meanings that share the same direction and objective as the explicit meaning. In certain circumstances, the meaning derived through this approach may even possess stronger legal force than the explicit meaning itself.<sup>16</sup> This occurs because of the existence of a common *'illat* or legal rationale that can be understood from the linguistic structure used in the *nash*. Therefore, the expression (*lafẓ*) is not understood narrowly as the final limit of meaning, but rather as an entry point for exploring broader implications.<sup>17</sup> This process nevertheless depends on clear linguistic indications that can be academically justified. Consequently, the use of *mafhūm al-muwāfaqah* is not unrestricted, but remains bound by strict principles of *uṣūl fiqh*. This approach is important because it maintains a balance between

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<sup>16</sup> Mawardi et al., "Mafhum Muwafaqah Dan Implikasinya Terhadap Masalah-Masalah Furu'iyah."

<sup>17</sup> Wahyuni and Yusuf, "Klasifikasi Metode Kebasahan Dalam Ushul Fqh."

fidelity to the text and the need to respond to continuously evolving realities.

Definitions found in the literature of *uṣūl fiqh* explain that a *lafẓ* indicates the applicability of a legal ruling from what is explicitly mentioned to what is not mentioned, whether in the form of affirmation or negation. This occurs because both share a common meaning that can be directly understood from the language without requiring complex analysis. Thus, an unstated meaning may still be derived from a stated meaning as long as there is compatibility between the two. This concept is known as *maḥbūm al-muwāfaqah* because of the harmony of legal rulings between them.<sup>18</sup> Accordingly, *maḥbūm al-muwāfaqah* does not emerge from unrestricted assumptions, but is grounded in semantic relationships that can be traced within the text itself. In other words, the process of legal determination remains within the linguistic framework employed in the *nash*. This demonstrates that the method possesses a strong foundation because it relies on the structure of the *lafẓ* itself. Therefore, the strength of its analysis derives from the text rather than from speculation outside the text.

Within the discussion of *dilālat al-alfāz*, *maḥbūm al-muwāfaqah* is categorized as an implicit meaning that nevertheless remains rooted in the existing *lafẓ*. It does not require analogical reasoning as applied in *qiyās*, because the extension of meaning occurs within the same textual framework. This mechanism allows legal deduction to operate more directly without shifting to other cases outside the text. Furthermore, contemporary studies affirm that language-based approaches such as this constitute the core of the *uṣūl fiqh* method in exploring textual meanings more deeply.<sup>19</sup> This approach helps maintain consistency between the text and the resulting legal interpretation.

The distinction between *maḥbūm al-mukhālafah* and *maḥbūm al-muwāfaqah* can clearly be observed from the way each derives legal rulings. *Maḥbūm al-mukhālafah* establishes rulings from meanings that are contrary to what is explicitly stated in the text.<sup>20</sup> In contrast,

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<sup>18</sup> Muhammad Musthafa Al-Zuhaili, *Al-Wajīz Fi Uṣūl Al-Fiqh Al-Islamī*, juz 2, (Damaskus: Dar al-Khair, 2006), h. 154.

<sup>19</sup> Wahyuni and Yusuf, "Klasifikasi Metode Kebasahan Dalam Ushul Fqh."

<sup>20</sup> Muhammad al-amin Al-Syinqity, *Mudḥakarab Uṣūl Fiqh 'Ala Raudah Al-Naẓhir* (Riyadh: Dar Atha'at al-Ilm, 2019), h. 376.

*mafhum al-muwafaqah* derives rulings based on meanings that are consistent with the text.<sup>21</sup> Therefore, *mafhum al-muwafaqah* is considered stronger because it does not rely on assumptions regarding the limitation of the *lafz*. This characteristic makes it more stable for use as a basis of legal determination.

This explanation becomes clearer when *mafhum al-muwafaqah* is divided into two forms: the stronger form (*anlawiyyah*), also known as *Lahn al-Khitab*, and the equivalent form (*musawah*), also known as *Fahwa al-Khitab*.<sup>22</sup> In the form of *anlawiyyah*, the unstated meaning in the text carries a stronger legal force than the explicitly mentioned meaning. This occurs because the degree of violation or impact contained in the implied meaning is greater, making it logically more deserving of the same ruling or even a stricter one. Meanwhile, in the form of *musawah*, the unstated meaning carries the same legal force as the stated meaning because both stand on an equal level in terms of *'illat* and legal objective. Thus, these two forms are not separate concepts, but rather parts of the structure of *mafhum al-muwafaqah*.<sup>23</sup> The difference lies only in the degree of legal force produced by the implied meaning. If the derived meaning indicates a stronger level, it falls under the category of *anlawiyyah*. If the meaning is equivalent, it belongs to the category of *musawah*. This classification is important because it demonstrates that the extension of meaning in *mafhum al-muwafaqah* still possesses clear limits and standards, preventing its unrestricted use in legal determination.

This analysis shows that *mafhum al-muwafaqah* possesses a systematic framework that can be logically explained. This method does not operate freely without limits, but follows the degree of meaning contained within the *lafz*. Every process of legal deduction remains dependent upon clear linguistic indications that can be critically examined. This makes its application in the practice of *istinbat* more measurable and controlled. Moreover, this approach helps preserve consistency between the text and the resulting legal understanding. Consequently, this method is less susceptible to misuse in legal determination because it is governed by firm

<sup>21</sup> Muhammad al-amin Al-Syinqity, *Mudzakarah Ushul Fiqh 'Ala Raudah Al-Nazhir* (Riyadh: Dar Atha'at al-Ilm, 2019) h. 370.

<sup>22</sup> Al-Rais, *Qawaid Ushuliyyah Wa Tathbiqot Fiqhiyyah*.

<sup>23</sup> Muhammad bin Hasin al-Jaizany, *Ma'alim Ushul Al-Fiqh 'Inda Ahli Al-Sunnah Wa Al-Jamaah* (Dar Ibnu Jauzi, 1428), h. 450.

limitations. This clear structure further strengthens its position within the study of *uṣūl fiqh*.

From a methodological perspective, the primary strength of this approach lies in the linguistic indication (*dalālah al-lafẓ*) that forms the basis of its analysis. This method does not require the independent determination of *‘illat* as found in *qiyās*. The legal meaning is already embedded within the text and can be derived through a proper understanding of the language. This characteristic makes the process of *istinbāṭ* more direct and efficient. In addition, its analytical steps tend to be simpler because they do not involve transferring rulings to other cases. This approach also minimizes the possibility of excessive differences of opinion. Therefore, *maḥbūm al-muwāfaqah* offers a more practical mode of reasoning while remaining methodologically strong.

When compared with *qiyās*, a fundamental difference can be observed in the way both methods operate. *Qiyās* establishes legal rulings by transferring a ruling from one case that possesses textual evidence to another case that lacks such evidence through a shared *‘illat*.<sup>24</sup> In contrast, *maḥbūm al-muwāfaqah* does not transfer rulings, but instead expands meanings already contained within the same text.<sup>25</sup> This process keeps the analysis within the scope of the same *lafẓ*. Therefore, this approach is closer to linguistic analysis than to analogical reasoning. This distinction also affects the level of complexity in the process of legal determination. Because of its more direct mechanism, this method becomes easier to apply in many cases.

This distinction makes *maḥbūm al-muwāfaqah* more stable when applied in responding to changing times. The method remains firmly grounded in meanings already embedded within the *lafẓ*. As long as the textual indication can still be clearly understood, the resulting legal ruling remains relevant for application. This provides greater certainty in the process of legal determination amid rapid developments. Moreover, this approach does not depend upon external factors that

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<sup>24</sup> Abu Zakariyyah Fadhl, *Al-Tabḥiqat Ala Syarh Al-Jalal Li Al-Waraqat* (Kuwait: Dar al-Zhariyyah, 2019), h. 297.

<sup>25</sup> Muh Fadel As’ ad, Ahmad Musyahid, and Lomba Sultan, “Teori Penemuan Hukum Islam: Pendekatan Bayani, Ta’lil, Dan Istislāhī Dalam Kerangka Ijtihad Kontemporer,” *AL-QIBLAH: Jurnal Studi Islam Dan Bahasa Arab* 4, no. 4 (2025): 552–61, <https://doi.org/10.36701/qiblah.v4i4.2319>.

may constantly change. Its principal strength remains rooted in the text itself. Accordingly, *mafhum al-muwafaqah* possesses strong adaptability in addressing new legal issues. This is what makes it one of the important methods in the development of contemporary Islamic law.

Contemporary studies also demonstrate that linguistic approaches in *uṣūl fiqh* remain highly relevant for addressing modern issues. However, discussions concerning *mafhum al-muwafaqah* have not yet been extensively developed in a specific manner. This indicates that considerable room for further development still exists. Nevertheless, its application still has limitations. Not every meaning can be extended unless there is a strong indication derived from the *lafẓ*. If such extensions are forced, the result may become speculative. Therefore, precision in understanding textual meaning becomes extremely important.<sup>26</sup>

Accordingly, *mafhum al-muwafaqah* can be understood as a method that operates through the extension of meaning based on the *lafẓ*. *Fahwā al-Khiṭāb* and *Lahn al-Khiṭāb* constitute parts of this method, indicating the degree of legal force within the implied meaning, namely stronger (*awlawayyah*) and equivalent (*musāwāh*). This structure demonstrates that the method possesses a clear, systematic, and relevant foundation for legal deduction, including within modern contexts.

*Mafhum al-muwafaqah* plays an important role in Islamic legal reasoning (*istinbat*) because it helps expand meaning without departing from the linguistic structure contained within the *lafẓ*. This approach emphasizes the importance of understanding the linguistic indications within the *nash* rather than relying on analogical reasoning external to the text. As a result, the interpretation produced remains relevant and firmly grounded in the text itself. The relationship between *mantūq* (explicit meaning) and *mafhum* (implicit meaning) is also highly significant because it enables a more comprehensive understanding of legal texts.<sup>27</sup> Through this method, scholars are able to address new

<sup>26</sup> Stevia Reynata, "Konsep Mantuq Dan Mafhum Dalam Perspektif Ushul Fiqih," *MADZAHIB* 7, no. 1 (2024): 14–31.

<sup>27</sup> Joni Darma Fitra, Mahyudin Ritonga, and Abdul Halim Hanafi, "Mantuq Wa Al-Mafhum: Pilar Epistemologis Dalam Metodologi Istinbat Hukum Islam," *Al-Qodiri: Jurnal Pendidikan, Sosial Dan Keagamaan* 23, no. 2 (2025): 414–26, <https://doi.org/10.53515/qodiri.2025.23.2.414-426>.

issues more accurately. In addition, the concept of *mafhum al-mukhālafah* demonstrates that meaning may also be derived from the opposite implication of the expression stated in the text. This approach illustrates that Islamic legal interpretation possesses flexibility in responding to various situations. The relationship between explicit and implicit meanings further strengthens the foundation of Islamic law as a whole. Moreover, this approach supports the practice of *ijtihād* that is more responsive to contemporary conditions. Accordingly, Islamic legal reasoning remains capable of developing and addressing the challenges of changing times.<sup>28</sup>

The relationship between *dalālat al-manṭuq* (explicit meaning) and *mafhum* (implicit meaning) in Islamic legal reasoning demonstrates that the written meaning serves as the basis for understanding unstated meanings that nevertheless remain aligned with the objectives of the law. *Manṭuq* provides clear boundaries because it directly refers to the text, while *mafhum* helps broaden understanding without departing from that framework. Both complement one another, enabling legal rulings to be applied more accurately within continuously evolving situations.<sup>29</sup> This approach is important for addressing modern issues because it provides room for adaptation without deviating from the primary text. Furthermore, the classification of the various forms of *manṭuq* and *mafhum* also facilitates their more systematic application in the process of legal determination.<sup>30</sup>

In the study of *uṣūl fiqh*, *mafhum* is generally divided into two principal forms, namely *mafhum al-muwāfaqah* and *mafhum al-mukhālafah*. *Mafhum al-muwāfaqah* refers to the derivation of legal rulings from meanings that are consistent with the *nash*, in which an unstated matter carries the same or even stronger legal ruling because of the similarity in *‘illat* and legal objective. Meanwhile, *mafhum al-mukhālafah*

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<sup>28</sup> Ria Oktaviani and Zaenal Abidin, “ANALISIS USHUL FIKIH TERHADAP DILALAT AL-MAFHUM AL-MUKHALAFAH (HASR, SIFAT, SYARAT, LAQAB, GAYAH, DAN ADAD),” *Khuluqiyya: Jurnal Kajian Hukum Dan Studi Islam*, 2025, 45–52, <https://doi.org/10.56593/khuluqiyya.v7i1.165>.

<sup>29</sup> Sovie Najwa Nabila, “Mantuuq Dan Mafhum,” *Tarbi: Jurnal Ilmiah Mahasiswa* 3, no. 2 (2024): 203–27, <https://doi.org/10.33507/tarbi.v3i2.1832>.

<sup>30</sup> Alex Kusmardani, Mohamad Athoilah, and Mohamad Sar’an, “Tafsir Ayat Ahkam Dalam Perspektif Dilalah Manthuq Dan Mafhum,” *Jurnal Syntax Transformation* 3, no. 02 (2022): 169–89, <https://doi.org/10.46799/jst.v3i2.509>.

derives legal rulings from meanings that are contrary to those explicitly mentioned in the text. Furthermore, *mafhum al-muwafaqah* itself is divided into two forms, namely *awlaniyyah* and *musawah*. The form of *awlaniyyah* occurs when the unstated meaning carries a stronger legal ruling than the stated meaning, whereas *musawah* indicates that both possess equal legal force. This classification demonstrates that *mafhum al-muwafaqah* has a clear and layered structure in the process of legal deduction.<sup>31</sup>

The concept of *awlaniyyah* places legal reasoning upon the degree of strength of the *'illat*, so that an unstated meaning may carry a stronger legal ruling because its legal rationale is greater. This principle forms an important part of the mechanism of *mafhum al-muwafaqah*, since both emphasize harmony and reinforcement of meaning within the text. A fundamental example can be found in QS. *Al-Isrā'* [17]: 23, where Allah states:

فَلَا تَقُلْ لَهُمَا أُفٍّ

“Do not even say ‘uff’ to them.”

The verse indicates a prohibition against speaking harshly to one's parents. Therefore, physically harming them is even more strongly prohibited because the harm it causes is greater. This approach demonstrates that the extension of meaning remains within the framework of the *nash* while considering the degree of harm or benefit produced. Accordingly, the relationship between *awlaniyyah* and *mafhum al-muwafaqah* strengthens the method of understanding texts, both from explicit and implicit meanings, so that legal deduction may be conducted in a more systematic and consistent manner.

In addition, there is the logic of *musawah*, which indicates that an unstated meaning possesses legal force equal to the explicit meaning because of the similarity in *'illat* and legal objective. Within this framework, legal deduction is not based on a stronger degree of meaning, but rather on the equivalence of substantive meaning between what is mentioned and what is not mentioned. This means that as long as the *'illat* underlying the legal ruling in the *nash* is also found in an unstated case, both occupy the same legal position. A commonly cited example is the prohibition against unlawfully consuming the property of orphans in the Qur'an. This prohibition is

<sup>31</sup> Al-Syinqity, *Mudẓakarab Ushul Fiqh 'Ala Raudah Al-Nazhir*, 284.

not limited to the act of directly consuming such property, but also includes other forms such as damaging, misusing, or unlawfully removing it. All of these actions carry the same legal ruling because they share the same *'illat*, namely injustice toward the property of orphans. Thus, *mafhum musāwāh* demonstrates that the extension of meaning remains within clear boundaries, specifically the similarity of legal rationale, so that the results of *istinbāt* remain controlled and non-speculative.<sup>32</sup>

The reconstruction of this principle demonstrates that *mafhum al-muwāfaqah* is not merely a supplementary method, but rather an essential component of legal reasoning in *uṣūl fiqh*. This method directly utilizes meanings already contained within the text, so that the process of *istinbāt* does not need to depend upon analogical reasoning outside the *nash*. In other words, legal determination remains within the linguistic boundaries used in the Qur'an and hadith. This approach also affirms that language holds a central role in understanding legal rulings, because a single *lafz* may produce broader meanings as long as these remain supported by clear indications. Contemporary studies demonstrate that linguistic methods such as this are highly important for preserving the relationship between the text and the development of legal thought, since they enable the formulation of new legal rulings without departing from the foundation of the *nash*.<sup>33</sup> Therefore, *mafhum al-muwāfaqah* may be understood as a principal element of *istinbāt*, rather than merely a complementary instrument.

Accordingly, the application of *mafhum al-muwāfaqah* in modern *istinbāt* requires precision in understanding the structure of meaning within the *nash*. This process is not limited to observing the literal meaning, but must also consider the relationship between the *lafz*, the *'illat*, and the legal objectives contained within it. If the extension of meaning is carried out without a clear textual basis, the result may become speculative and scientifically unjustifiable. Contemporary studies emphasize that linguistic methods in *uṣūl fiqh* must be applied carefully and proportionally in order to preserve the validity of the resulting legal rulings. Therefore, precision in interpreting meaning becomes the principal key to ensuring that *mafhum al-muwāfaqah*

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<sup>32</sup> Al-Syinqity, *Mudẓakarāh Uṣhul Fiqh 'Ala Raudah Al-Nazhir*, h.284.

<sup>33</sup> Wahyuni and Yusuf, "Klafikasi Metode Kebasahan Dalam Ushul Fqh."

remains relevant and can be properly utilized in addressing modern legal issues.

### **The Application of *Mafhum al-Muwafaqah* to Contemporary Digital Legal Issues**

The application of *mafhum al-muwafaqah* in this study follows a systematic analytical process. The analysis begins by identifying the relevant *nass* that serves as the legal basis, followed by determining the explicit meaning (*mantuq*) conveyed in the text. The next step is to examine the underlying meaning that forms the basis of the prohibition or command in the *nass* and assess its relevance to the digital legal issue under investigation. The analysis then determines whether the extension of meaning falls within the category of *mafhum al-muwafaqah amlawiyyah* (*fahwa al-khitab*) or *musawah* (*lahn al-khitab*). Through these stages, the legal conclusion not only establishes the applicable ruling but also demonstrates how *mafhum al-muwafaqah* operates as a method of *istinbat* in addressing digital legal issues.

In the case of deepfakes and digital content manipulation, the analysis begins by identifying *nass* that prohibit slander, the dissemination of false information, and all forms of deception that cause harm to others. According to the explicit meaning (*mantuq*) of these texts, conveying false information is prohibited because it damages a person's reputation and causes harm. The underlying meaning derived from the *nass* is that every form of communication involving falsehood, manipulation, or deception is prohibited. When this meaning is applied to deepfake technology, it becomes evident that deepfakes not only produce false information but also create highly convincing visual and audio fabrications that are much more difficult to recognize as deceptive. Consequently, deepfakes pose a greater level of harm than the forms of slander or deception known at the time the *nass* was revealed. Therefore, the application of *mafhum al-muwafaqah* in this case falls within the category of *amlawiyyah* (*fahwa al-khitab*), since the prohibition contained in the *nass* applies with even greater force to deepfakes. Based on this analysis, the use of deepfake technology to mislead the public or harm others is considered prohibited through the mechanism of *mafhum al-muwafaqah*.

In the case of digital transaction fraud, the analysis begins by identifying *nass* concerning the prohibition of *tadlis* and fraudulent commercial practices. The explicit meaning (*mantuq*) of these texts

prohibits dishonest or misleading conduct that causes financial loss or harm to others. The underlying meaning is that honesty constitutes a fundamental principle in every transaction, whereas any form of manipulation that undermines trust is prohibited. When this meaning is applied to digital transactions, practices such as product data manipulation, payment system fraud, identity theft, and the misuse of digital technologies are found to share the same essential characteristics as *tadlis*. Moreover, technological developments enable these fraudulent practices to affect a much larger number of victims and cause greater losses than conventional forms of fraud. Accordingly, *mafhum al-muwafaqah* extends the prohibition of *tadlis* to encompass all forms of digital transaction fraud. Practices that involve an equivalent degree of harm fall within the category of *musawah*, whereas those that produce greater harm are classified as *awlawiyyah*. Consequently, digital transaction fraud acquires a clear legal basis through the application of *mafhum al-muwafaqah*.

In the case of personal data breaches, the analysis begins by identifying *nass* that command the protection of human dignity, prohibit exposing the faults of others, and forbid violations of personal privacy. According to the explicit meaning (*mantuq*) of these texts, individuals are obligated to safeguard personal honor and private information from unauthorized disclosure. The underlying meaning is that protecting personal privacy constitutes an essential aspect of preserving human dignity. When applied to the digital context, personal information, including identity data, electronic documents, digital records, and financial information, serves the same function as the forms of privacy protected in the *nass*. Furthermore, the misuse of personal data in digital environments has far-reaching consequences because such information can be copied, distributed, and repeatedly exploited within a very short period. Therefore, the application of *mafhum al-muwafaqah* indicates that personal data breaches fall within the category of *awlawiyyah*, as the resulting harm is greater than the forms of privacy violations explicitly mentioned in the *nass*. Based on this analysis, the protection of personal data obtains legal legitimacy through the mechanism of *mafhum al-muwafaqah*.

These three cases demonstrate that the application of *mafhum al-muwafaqah* follows a consistent analytical framework. The process begins by identifying the relevant *nass*, determining its explicit

meaning (*mantuq*), examining the underlying rationale of the legal ruling, and extending that meaning to digital legal issues that possess the same essential characteristics or pose a greater degree of harm. This analytical framework ensures that legal rulings remain firmly grounded in the textual indication and therefore remain within the methodological boundaries of *ushul fiqh*. The findings confirm that *mafhum al-muwafaqah* is not merely a theoretical concept but also an operational method of *istinbat* that can be systematically, consistently, and effectively applied to address contemporary digital legal issues.

### **Methodological Boundaries and the Relevance of *Mafhum al-Muwafaqah* in Contemporary *Ijtihad***

*Mafhūm al-muwāfaqah* possesses strong relevance in addressing certain digital legal issues, particularly when there is a clear correspondence of meaning between the *nash* and newly emerging phenomena. This method enables legal rulings to be directly derived from the text through the expansion of existing meanings, thereby preserving attachment to normative sources. In many cases, such as information manipulation or violations of digital ethics, this approach is capable of providing a sufficiently strong legal foundation without the need to shift to other methods. Nevertheless, *mafhūm al-muwāfaqah* cannot be regarded as a method capable of encompassing the entire complexity of contemporary issues. Many digital cases do not possess a direct relationship with the linguistic structure of the *nash*, and therefore cannot be analyzed solely through this approach. Accordingly, although relevant, its application remains limited and requires support from other methods in order to address increasingly complex legal dynamics.

The principal limitation of *mafhūm al-muwāfaqah* lies in the requirement for clear linguistic indications within the *nash*. This method can only be applied when there is a strong semantic relationship between the text and the case being analyzed, so that the extension of legal meaning remains within a linguistically justifiable framework. If such a relationship cannot be established, the use of *mafhūm al-muwāfaqah* becomes inappropriate because it risks departing from the boundaries of the text. Contemporary studies in *uṣūl fiqh* emphasize that the validity of linguistic methods depends heavily upon the strength of textual indications. Therefore, careful

interpretation of meaning becomes a fundamental requirement in the process of *istinbat*.<sup>34</sup>

In practice, there is a potential overlap between *mafhum al-muwāfaqah* and *qiyās*, particularly when the extension of meaning begins to shift from linguistic structure toward reasoning based upon ‘*illat*. At this point, the boundary between the two methods is not always entirely clear, because both ultimately produce legal extensions for new cases. However, the fundamental distinction remains in the source of reasoning, where *mafhum al-muwāfaqah* relies upon linguistic indications, whereas *qiyās* relies upon the similarity of ‘*illat*. If this distinction is not carefully maintained, the use of *mafhum al-muwāfaqah* may transform into a concealed form of *qiyās*, potentially weakening methodological precision in legal determination.<sup>35</sup>

From the perspective of legal objectives, *mafhum al-muwāfaqah* maintains a close relationship with *maqāṣid al-sharī‘ah*, since both are oriented toward the protection of public benefit and the prevention of harm. Through the extension of meaning that nevertheless remains tied to the *nash*, this method may support the realization of legal objectives such as the protection of dignity, property, and privacy, particularly within the continuously evolving digital context. However, the approaches employed by each remain different. *Mafhum al-muwāfaqah* is grounded in linguistic analysis, whereas *maqāṣid al-sharī‘ah* emphasizes the broader objectives and wisdom underlying legal rulings. Contemporary studies demonstrate that both approaches may complement one another in the process of *istinbat* so that legal outcomes remain relevant while also possessing strong normative foundations.<sup>36</sup>

On the other hand, one of the primary criticisms directed toward this method is the risk of excessive generalization when the extension of meaning is carried out without strict consideration of the limits imposed by linguistic indications. If every new case is immediately included within the scope of the *nash* without careful

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<sup>34</sup> Wahyuni and Yusuf.

<sup>35</sup> Achmad Siddiq, “POSISI ANALOGI HUKUM DALAM METODE PENEMUAN HUKUM ISLAM,” 2023, <https://doi.org/10.56670/jcs.v5i1.110>.

<sup>36</sup> Arminsyah Arminsyah, “Maqasid Al-Shariah in Contemporary Legal Systems: An Analysis of Digital Rights and Privacy Protection,” *Al-Qadha: Jurnal Hukum Islam Dan Perundang-Undangan* 12, no. 2 (2025): 289–308, <https://doi.org/10.32505/qadha.v12i2.11178>.

analysis, the resulting interpretation may exceed the original intent of the text. This risk becomes even greater within the digital context, which is characterized by complexity and constant change. Therefore, caution is required in the application of *mafhum al-muwafaqah* so that the expansion of meaning remains controlled and does not develop into speculative legal reasoning.<sup>37</sup>

This risk may lead to inaccurate legal deductions, particularly in digital cases that possess new and complex characteristics and often lack direct equivalents within the *nash*. Technological developments have introduced forms of interaction and violations that differ significantly from classical contexts. Therefore, if the extension of meaning is conducted without clear limitations, the resulting legal rulings may deviate from the objectives of the law itself. Accordingly, the application of *mafhum al-muwafaqah* in modern contexts needs to be integrated with other methods such as *qiyās* and the *maqāṣid al-shari‘ah* approach in order to produce legal determinations that are more comprehensive and balanced. Such integration allows legal analysis not to stop merely at the linguistic meaning of the *lafẓ*, but also to consider the *‘illat* and broader legal objectives, thereby ensuring that the resulting legal rulings remain relevant and academically justifiable.

## Conclusion

The conclusion of this study demonstrates that *mafhum al-muwafaqah* constitutes an important method within *uṣūl fiqh* that possesses the capacity to systematically expand the meaning of the *nash* while remaining within a legitimate linguistic framework. Its theoretical construction confirms that this method operates through the strength of textual indication (*dalālat al-lafẓ*) rather than through pure analogy, thereby granting it a strong position within Islamic legal reasoning. In the contemporary context, particularly regarding digital legal issues such as deepfakes, digital transaction fraud, and violations of personal data privacy, *mafhum al-muwafaqah* has proven capable of providing relevant legal foundations through a consistent analytical pattern, beginning from explicit meanings and extending toward broader meanings that correspond to technological developments.

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<sup>37</sup> Fitra, Ritonga, and Hanafi, “Mantuaq Wa Al-Mafhum: Pilar Epistemologis Dalam Metodologi Istinbat Hukum Islam.”

Nevertheless, this study also confirms that the application of *mafḥūm al-muwāfaqah* possesses methodological limitations that must be carefully considered. This method cannot be employed freely without the existence of strong textual indications, and it may potentially overlap with *qiyās* if the distinction between the two is not maintained carefully. In addition, the risk of excessive generalization within the complex digital context presents a significant challenge. Therefore, integration with other approaches such as *qiyās* and *maqāṣid al-sharī'ah* becomes an important step toward producing legal determinations that are more comprehensive and balanced.

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