

Volume 10 Number 2 (June 2026) | Pages 548 – 574

Doi: <https://doi.org/10.33650/jhi.v10i2.14760>

Submitted: March 9, 2026 | Revised: May 12, 2026 | Accepted: May 14, 2026 | Published: June 11, 2026

## MUI FATWA NO. 2/2025 ON EQUITABLE TAXATION: A MAQASID SYSTEMS AND NKRI-CONTEXTUAL ANALYSIS

Ryan Bianda<sup>1</sup>; Nur Hasan<sup>2</sup>; Muhammad Yosef Niteh<sup>3</sup>; Maad Ahmad<sup>4</sup>

<sup>1,2</sup> Sekolah Tinggi Ilmu Syariah Al Wafa Bogor, Indonesia; <sup>3,4</sup> Selangor Islamic University, Malaysia

Email: <sup>1</sup>[ibnu.kaunda2020@gmail.com](mailto:ibnu.kaunda2020@gmail.com); <sup>2</sup>[87nurhasn@gmail.com](mailto:87nurhasn@gmail.com); <sup>3</sup>[myosef@uis.edu.my](mailto:myosef@uis.edu.my); <sup>4</sup>[maad@uis.edu.my](mailto:maad@uis.edu.my)

### ABSTRACT

This article examines MUI Fatwa No. 2/2025 on equitable taxation as a religious-normative framework for evaluating fiscal legitimacy in Indonesia. The study addresses the question of how taxation, as a civic obligation, can be justified within Islamic legal reasoning in relation to justice, public welfare, zakat, and state accountability. Using a qualitative, normative, textual method, the article treats the fatwa as the primary source and analyzes it through Jasser Auda's *Maqasid* systems approach and KH. Afifuddin Muhajir's NKRI contextual understanding of the state as a *wasilah* for realizing public welfare. The findings reveal that the fatwa does not consider taxation to be inherently legitimate simply because it is imposed by the state. Rather, the fatwa establishes equitable taxation through three main categories: conditional legitimacy, distributive protection, and procedural integrity. Taxation is legitimate only when public resources are insufficient, fiscal burdens are imposed on those who can pay, essential needs are protected from excessive taxation, and tax revenue is managed with *amanah* (trustworthiness), transparency, accountability, professionalism, and fairness. The fatwa also considers zakat a tax-reducing factor, addressing the risk of overlapping fiscal burdens for Muslim taxpayers. The article argues that the fatwa does not replace the state's legal-fiscal authority but rather provides an ethical benchmark for assessing whether taxation is just, accountable, and oriented toward public welfare under NKRI conditions.

**Keywords :** *equitable taxation; Maqasid al-shari'ah; MUI fatwa; fiscal legitimacy; Islamic tax governance*

### ABSTRAK

Artikel ini mengkaji Fatwa MUI No. 2/2025 tentang perpajakan yang adil sebagai kerangka normatif keagamaan untuk mengevaluasi legitimasi fiskal di Indonesia. Studi ini membahas pertanyaan mengenai bagaimana perpajakan, sebagai kewajiban kewarganegaraan, dapat dibenarkan dalam kerangka pemikiran hukum Islam terkait keadilan, kesejahteraan umum, zakat, dan akuntabilitas negara. Dengan menggunakan metode kualitatif, normatif, dan tekstual, artikel ini memperlakukan fatwa sebagai sumber utama dan menganalisisnya melalui pendekatan sistem MAQASID karya Jasser Auda serta pemahaman kontekstual KH. Afifuddin Muhajir mengenai negara sebagai *wasilah* untuk mewujudkan kesejahteraan umum. Temuan penelitian menunjukkan bahwa fatwa tersebut tidak menganggap perpajakan secara inheren sah hanya karena diberlakukan oleh negara. Sebaliknya, fatwa menetapkan perpajakan yang adil melalui tiga kategori utama: legitimasi bersyarat, perlindungan distribusi, dan integritas prosedural. Perpajakan hanya sah jika sumber daya publik tidak mencukupi, beban fiskal dikenakan pada mereka yang mampu membayar, kebutuhan esensial dilindungi dari pajak berlebihan, dan penerimaan pajak dikelola dengan *amanah* (kepercayaan), transparansi, akuntabilitas, profesionalisme, dan keadilan. Fatwa tersebut juga menganggap zakat sebagai faktor pengurang pajak, yang mengatasi risiko tumpang tindih beban fiskal bagi wajib pajak Muslim. Artikel ini berpendapat bahwa fatwa tersebut tidak menggantikan kewenangan hukum-fiskal negara, melainkan memberikan tolok ukur etis untuk menilai apakah perpajakan itu adil, akuntabel, dan berorientasi pada kesejahteraan publik dalam kondisi NKRI.

**Kata Kunci :** *perpajakan berkeadilan; MAQASID al-shari'ah; fatwa MUI; legitimasi fiskal; tata kelola perpajakan Islam*

## INTRODUCTION

Taxation in Muslim societies is never only a matter of revenue collection. It also raises a normative question: under what conditions can the state legitimately impose fiscal obligations on citizens who are already bound by religious duties such as zakat? This question becomes especially important in contemporary Indonesia, where taxation functions as a primary instrument for financing public welfare, while Muslim taxpayers continue to evaluate fiscal obligations through the language of justice, trust, and religious responsibility. In this setting, the legitimacy of taxation depends not merely on statutory authority, but also on whether tax policy reflects fairness, protects basic needs, respects the taxpayer's capacity to pay, and is administered in a trustworthy and accountable manner. Islamic legal reasoning is relevant to this debate because it offers more than a doctrinal test of permissibility. It provides a normative vocabulary through which taxation can be assessed as a matter of justice, public welfare, and responsible governance. As Habib Ahmed argues, Islamic normative legal theory is shaped by the interaction of *usul*, *qawa'id*, and *maqasid*, rather than by isolated legal rules alone (Ahmed, 2025). This orientation also resonates with broader fiscal debates that reject a purely instrumental view of taxation and insist that fiscal systems must be evaluated through substantive principles of justice and fairness (Fornaroli, 2025; Verbeek, 2024).

The issue is also significant for comparative law and governance because it concerns the role of religious authority in giving moral meaning to state regulation. In modern legal orders, religious institutions do not merely preserve inherited doctrine. They may also mediate public ethics, influence social acceptance of policy, and translate contested state obligations into morally intelligible duties. This role is particularly visible in Muslim-majority nation-states, where Islamic law and modern state law interact through negotiation, adaptation, and institutional mediation rather than through simple incorporation or separation (Scharbrodt, 2022). Studies on religion and economic practice further show that Islamic authority may operate as a source of legitimacy in regulating markets, conduct, and public trust (Izmuddin et al., 2023). The debate on taxation, therefore, is not limited to fiscal policy. It also concerns how fatwas, legal pluralism, and the governance of religion contribute to the moral architecture of public policy in contemporary states.

Indonesia offers an especially important case for examining this relationship. The Indonesian Ulema Council (*Majelis Ulama Indonesia*, MUI) has long occupied a strategic position between Islamic normativity and state governance, particularly through fatwas

addressing public, social, and economic affairs. Its fatwas have helped legitimize Islamic financial practices, guide Muslim public conduct, and articulate religious responses to questions linked to state policy. For this reason, fatwa production in Indonesia should not be viewed only as doctrinal elaboration. It also operates within wider fields of institutional authority, policy negotiation, and socio-political influence (Alnizar et al., 2023; Syahbandir et al., 2022). Within this context, MUI Fatwa No. 2/2025 on Equitable Taxation is significant because it does not simply discuss whether Muslims may pay taxes. It formulates a set of ethical and legal indicators for determining when taxation can be considered just, legitimate, and aligned with public welfare.

The fatwa is important for Indonesian society today because it addresses several practical concerns at once. First, it affirms that taxation is not automatically legitimate merely because it is imposed by the state; its legitimacy depends on justice-based conditions. Second, it links equitable taxation to the taxpayer's ability to pay, thereby preventing fiscal obligations from becoming socially oppressive. Third, it emphasizes the protection of basic needs from excessive tax burdens. Fourth, it requires tax management to be conducted with trustworthiness, transparency, and accountability. Finally, it raises the question of how zakat and taxation should be related in a way that avoids unnecessary burdens on Muslim taxpayers while still supporting the fiscal needs of the state. These elements make the fatwa relevant not only to Islamic law, but also to public finance, fiscal ethics, and state accountability.

Existing scholarship provides important foundations for this discussion, although the field remains fragmented. One body of literature examines Islamic normative legal theory and the *Maqasid* tradition as ethical resources for responding to modern social and economic problems (Bianda et al., 2026; Kepplinger, 2025). Another strand discusses Islamic public finance and taxation through classical fiscal categories, modern debates on *daribab*, and the adaptation of Islamic fiscal obligations within contemporary governance structures (Syahbandir et al., 2022; Wahb, 2023). A further group of studies addresses the socio-legal role of fatwas and religious institutions in Indonesia, particularly in relation to institutional legitimacy, responsiveness to socio-economic change, and contestation over religious authority (Hasanudin & Mubarak, 2023; Majid et al., 2023). Taken together, these works show that Islamic legal discourse remains dynamic and that *maqasid*-based reasoning is increasingly used to justify reform, flexibility, and public-oriented legal interpretation. However, they have not sufficiently explained how a specific contemporary fatwa translates the general language of justice and *maslahah* into concrete standards of fiscal legitimacy.

The main gap, therefore, does not lie in the absence of studies on Islamic taxation, *maqasid*, or fatwa authority. Rather, it lies in the limited attention given to contemporary tax fatwas as ethical-normative standards for equitable fiscal governance. Much of the existing literature either treats *Maqasid* as a broad moral horizon or focuses on the institutional authority of fatwa-issuing bodies without examining the internal logic of particular rulings. As a result, several questions remain insufficiently explored: how does a fatwa define equitable taxation; what kinds of tax burdens are considered legitimate or illegitimate; how are justice, capacity to pay, and protection of essentials translated into fiscal standards; and what procedural requirements must the state satisfy before taxation can claim religious legitimacy? These questions are also relevant to broader debates on fiscal justice, where legal validity alone is not enough unless accompanied by fairness, accountability, and protection against arbitrary extraction (Bernabéu, 2025; Ozai, 2020). The issue, in other words, is not simply whether Islamic law permits taxation, but how Islamic legal reasoning structures, limits, and morally evaluates fiscal power in practice.

This article addresses three research questions. *First*, what indicators of equitable taxation are articulated in MUI Fatwa No. 2/2025? *Second*, how can these indicators be interpreted through Jasser Auda's *Maqasid* systems approach? *Third*, how can the fatwa be contextualized within the framework of the Unitary State of the Republic of Indonesia (*Negara Kesatuan Republik Indonesia*, NKRI), particularly through KH. Afifuddin Muhajir's idea of the state as a *wasilah* for realizing public welfare? These questions allow the article to examine the fatwa not merely as a religious opinion on taxation, but as a structured framework for assessing the ethical legitimacy of fiscal governance.

The article's novelty lies in three interrelated contributions. First, it reconstructs the internal architecture of MUI Fatwa No. 2/2025 rather than simply describing its conclusions or affirming them through a general *MAQASID* vocabulary. Second, it shows that the fatwa does not frame taxation as an unconditional civic duty, but as a conditional obligation tied to distributive justice, ability to pay, protection of basic needs, and procedural requirements such as trustworthiness, transparency, and accountability. Third, it argues that *maqasid*-based reasoning in this context is not merely rhetorical or moral in a general sense, but can generate identifiable criteria for evaluating whether taxation is just. In this respect, the article contributes to Islamic law, fatwa studies, *Maqasid* studies, and fiscal governance by showing how a contemporary fatwa can exert ethical pressure on the state without replacing the state's legal-fiscal authority.

To develop this argument, the article employs Jasser Auda's *Maqasid* systems approach and KH. Afifuddin Muhajir's NKRI-contextual understanding of the state. Auda's approach is used to map the interrelationship among the fatwa's normative elements, especially the connection between legitimacy, distributive protection, procedural integrity, and public welfare. Afifuddin's framework is used to interpret how *Maqasid* reasoning operates within the Indonesian constitutional and national context, where the state may be understood not as an end in itself, but as a *wasilah* for realizing justice and the common good (Kepplinger, 2025; Suparno et al., 2025). On this basis, the article argues that MUI Fatwa No. 2/2025 constructs equitable taxation through three main categories: conditional legitimacy, distributive protection, and procedural integrity. It further proposes that the relationship between MUI Fatwa, *maqasid*, the NKRI state, taxpayers, and fiscal accountability provides a useful model for understanding how religious normativity can participate in modern governance while remaining distinct from formal state authority.

## RESEARCH METHOD

This article uses a qualitative normative-textual design to examine MUI Fatwa No. 2/2025 on Equitable Taxation. The study is normative in the sense that it treats the fatwa as the main religious-legal text under analysis. However, the analysis is not limited to a formal reconstruction of legal propositions. It also reads the fatwa as a normative document that speaks to broader questions of fiscal justice, public welfare, religious authority, and state accountability in contemporary Indonesia. The article therefore does not assess the empirical implementation of Indonesian tax policy or measure the practical effectiveness of the fatwa in state administration. Its focus is more specific: to analyze how the fatwa formulates the conditions under which taxation may be considered religiously legitimate, ethically justified, and publicly accountable.

The primary source of this study is MUI Fatwa No. 2/2025 on Equitable Taxation (Majelis Ulama Indonesia, 2025). The fatwa is treated as the central corpus because it contains the legal propositions, normative reasoning, and ethical indicators through which equitable taxation is defined. The analysis pays particular attention to the fatwa's discussion of conditional permissibility, ability to pay, limits on taxable objects, protection of essential needs, governance duties, and the prohibition of unjust fiscal burdens. These elements are examined not as separate rulings, but as parts of an internally connected argument about the religious and ethical legitimacy of taxation.

The study also uses secondary sources to support the interpretation of the fatwa and to situate it within wider scholarly debates. These sources include academic works on Islamic taxation, zakat-tax relations, *maqasid al-shari'ah*, fatwa studies, Islamic legal theory, and fiscal governance. In addition, selected works by Jasser Auda and KH. Afifuddin Muhajir are used because they provide the conceptual tools needed to read the fatwa through a *maqasid*-based and Indonesian state-contextual framework. These secondary materials do not replace the fatwa as the object of analysis; rather, they help clarify the conceptual, legal, and governance implications of the fatwa's normative structure.

Two analytical frameworks are employed in this article. First, Jasser Auda's *maqasid* systems approach is used to map the interrelationship among the fatwa's normative elements, especially the relationship between public welfare, justice, tax burden, distributive protection, and governance integrity (Auda, 2008). Auda's six systems features, namely cognition, wholeness, openness, interrelatedness, multidimensionality, and purposefulness, are used as analytical lenses for examining whether the fatwa constructs taxation as a coherent *maqasid*-oriented framework rather than as a set of isolated legal claims. Second, KH. Afifuddin Muhajir's *maqasid*-in-NKRI framework is used to interpret the relevance of the fatwa within the Indonesian nation-state. This framework is particularly useful for understanding the state as a *wasilah* for realizing public welfare and for situating fiscal obligations within the ethical and constitutional commitments of the Unitary State of the Republic of Indonesia, including Pancasila and the idea of *Dār al-Mithāq* (Muhajir, 2017). Both frameworks are used as interpretive tools, not as sources of binding fiscal policy authority.

The analysis proceeds in four stages. First, the article conducts a close reading of the fatwa text to identify its main legal propositions and normative claims. This stage focuses on the fatwa's statements concerning the permissibility of taxation, the taxpayer's ability to pay, restrictions on taxable objects, protection of essential goods and needs, and governance requirements such as trustworthiness, transparency, and accountability. Second, these propositions are grouped into broader norms of equitable taxation. At this stage, the article identifies the fatwa's main normative indicators, including conditional legitimacy, distributive limits, protection of basic needs, accountable tax management, and the relationship between zakat and taxation.

Third, the identified norms are mapped through Auda's *maqasid* systems approach. This stage examines how the fatwa's treatment of taxation reflects systems-oriented reasoning, particularly through the features of cognition, wholeness, openness,

interrelatedness, multidimensionality, and purposefulness (Auda, 2008). The purpose of this step is not to validate the fatwa in a purely apologetic manner, but to analyze how its reasoning produces a structured model of conditional fiscal legitimacy. Fourth, the results of this systems mapping are interpreted through KH. Afifuddin Muhajir's *maqasid*-in-NKRI framework. This final stage examines how the fatwa situates taxation within the relationship between Islamic normativity, civic obligation, state authority, and public welfare under Indonesian nation-state conditions (Muhajir, 2017). Through this stage, the article explains how taxation may be understood not merely as an administrative instrument of state finance, but as a public obligation whose legitimacy depends on justice, social purpose, and institutional accountability.

This methodological design has two main delimitations. First, the article does not claim to evaluate the actual enforcement of MUI Fatwa No. 2/2025 or the empirical performance of Indonesia's tax system. Second, it does not treat *maqasid* theory as a self-sufficient source for declaring taxation legitimate. Rather, the method is designed to examine how a contemporary fatwa translates ethical principles into a structured argument about fiscal legitimacy. In this sense, the article remains text-based, but it is also attentive to the socio-legal role of fatwa, the governance implications of religious legitimation, and the relationship between Islamic legal reasoning and state authority in contemporary Indonesia.

**Table: 1 Core Corpus and Analytical Materials.**

Document	Type	Function in Analysis
<b>MUI Fatwa No. 2/2025 on Equitable Taxation</b>	Primary legal text	Main object of analysis; source of legal propositions, conditions, and normative claims on equitable taxation
<b>Jasser Auda, <i>MAQASID al-Shari'ah</i> as Philosophy of Islamic Law: A Systems Approach</b>	Analytical framework	Used to map the internal structure of the fatwa's reasoning through <i>MAQASID</i> -oriented systems features
<b>KH. Afifuddin Muhajir's <i>MAQASID</i>-in-NKRI conception</b>	Contextual interpretive framework	Used to interpret the fatwa's construction of legitimacy within the ethical and constitutional context of the Indonesian nation-state

## FINDINGS AND DISCUSSION

### Conditional Tax Legitimacy in MUI Fatwa No. 2/2025: Distributive Limits, Protected Essentials, and Governance Duties

MUI Fatwa No. 2/2025 presents taxation not as an automatically legitimate expression of state power, but as a public instrument whose validity depends on specific normative conditions. The fatwa begins with the premise that the state has a responsibility to manage public wealth for the prosperity of the people. At the same time, it allows taxation only when available state resources are insufficient to meet collective needs (Majelis Ulama Indonesia, 2025). This formulation places *maslahah ‘ammah* at the center of fiscal legitimacy while also drawing a clear line between lawful taxation and oppressive extraction. Analytically, the fatwa does not simply use ethical language to approve taxation. It subjects the fiscal authority of the state to public-purpose requirements and justice-based limits. This position is consistent with wider discussions in contemporary tax ethics, where taxation is considered legitimate only when it can be justified through distributive purpose, public accountability, and defensible reasons, rather than through coercive revenue collection alone (Altenburger, 2025). The significance of the fatwa lies in its refusal to naturalize tax obedience. Instead, it constructs taxation as a bounded public obligation in which the state must first satisfy ethical and legal conditions before demanding compliance.

Within this framework, the fatwa sets a distributive baseline by connecting tax liability to financial capacity and by defining which objects may legitimately be taxed. Income tax is directed only to those who are financially capable, with the minimum threshold linked to the *nishab* of *zakāt māl*, approximately equivalent to 85 grams of gold (Majelis Ulama Indonesia, 2025). The fatwa also limits taxation to productive assets and goods associated with secondary and tertiary needs, namely *hajiyat* and *tahsinīyyat*, while protecting essentials, or *darūriyyāt*, from fiscal burdens that could endanger basic living conditions (Bianda, Niteh, & Ahmad, 2025). This combination of threshold and object limitation is important because it turns equity from a broad moral ideal into a practical criterion for distinguishing fair and unfair fiscal burdens. Debates on distributive justice help clarify why thresholds matter, especially in separating protected minimum conditions from burdens that may be imposed on surplus or capacity beyond basic needs (Timmer, 2021). Similarly, policy studies on tax design warn that necessity-based consumption must be treated carefully because taxes on essential goods may produce regressive effects for low-income households (Klenert et al.,

2023). In this respect, the fatwa's classification of taxable objects serves as an internal safeguard against the use of fiscal convenience under the name of justice.

The fatwa strengthens this distributive logic through explicit protections against oppressive taxation. It prohibits multiple taxation on primary necessities, rejects taxes on staple foods (*sembako*), and disallows repeated taxation on non-commercial homes, including occupied land and buildings (Majelis Ulama Indonesia, 2025). These provisions show that the fatwa is not concerned with taxation in the abstract, but with forms of taxation that create hardship through cumulative burdens on essential goods and basic shelter. Anti-oppression is therefore not left as a general moral warning. It is translated into concrete limits on the design and application of tax policy. This point may be read alongside broader debates on fiscal instruments, including corrective and Pigouvian-type taxes, where legitimacy depends partly on whether such instruments impose disproportionate burdens on vulnerable groups and whether safeguards are available to protect basic needs (Pai & Strack, 2023). The fatwa thus defines tax justice in both positive and negative terms. Legitimate taxation depends not only on who may be taxed, but also on what must remain protected from extraction. This shift is analytically important because the central question is no longer simply whether taxation is allowed, but how taxation must be limited so that it remains justifiable.

Another important feature of the fatwa is that distributive justice is inseparable from the integrity of tax governance. Tax revenue is described as the property of the people entrusted to the government, or *ulil amri*, and its management must be guided by *amanah*, honesty, professionalism, transparency, accountability, and fairness (Majelis Ulama Indonesia, 2025). This point is crucial because administrative ethics are treated as constitutive of fiscal legitimacy, not as secondary matters added after the tax has already been justified. In other words, the fatwa does not understand fair taxation only as the correct distribution of burdens. It also asks whether entrusted fiscal authority is exercised responsibly. This view resonates with governance scholarship that emphasizes transparency and integrity as conditions for public trust, anti-corruption efforts, and sustainable tax compliance (Levi, 2022; Rastgar et al., 2023). Research on tax morale also suggests that transparency alone is insufficient when citizens do not perceive credible performance and accountability, a finding that reinforces the fatwa's insistence that trustworthy administration is part of fiscal justice itself (Hsu, 2023). On this basis, the fatwa establishes a strong normative boundary. Compliance is required only for taxation that conforms to the stipulated conditions, while unjust taxation is declared unlawful, or *haram* (Majelis Ulama Indonesia, 2025). This

conditional structure provides not only a basis for obedience, but also a normative ground for criticizing unjust fiscal extraction.

The same logic appears in the fatwa’s policy-facing recommendations. It urges that tax burdens be aligned with the ability to pay, that taxes perceived as excessively burdensome be reviewed, that firm action be taken against the “tax mafia,” and that unjust tax regulations be revised (Majelis Ulama Indonesia, 2025). These recommendations move the discussion beyond doctrinal permissibility and toward institutional correction. Equitable taxation, in this sense, requires more than a legal ruling. It also requires administrative reform, legislative review, and credible enforcement. This concern is relevant to wider fiscal-policy debates in low- and middle-income countries, where inequality, weak enforcement, and institutional gaps often undermine the redistributive purposes of taxation (Bachas et al., 2024). The fatwa also treats zakat paid by Muslims as a factor that should reduce tax obligations. This provision is important because it addresses the practical relationship between Islamic social finance and state taxation, not as two isolated obligations, but as two fiscal responsibilities that must be coordinated in the interest of fairness (Bianda, 2025; Majelis Ulama Indonesia, 2025). Taken together, the operative rulings and recommendations show that MUI Fatwa No. 2/2025 constructs equitable taxation as a conditional public instrument. Its legitimacy depends on the relationship among public purpose, fiscal capacity, taxable objects, protection of essentials, governance integrity, and zakat-tax coordination. This structure is important not only because it allows for the levying of taxes under certain circumstances, but also because it explains when the fiscal claims of the state cease to be morally and legally justifiable. It provides the basis for the next stage of analysis: how fiscal legitimacy can be mapped through *maqasid* systems reasoning and NKRI contextual interpretation.

**Table : 2 Operative Rulings and the Structure of Conditional Tax Legitimacy in MUI Fatwa No. 2/2025**

Domain	Key Ruling / Requirement	Equity / Analytical Orientation
<b>Definition and purpose</b>	Tax is a compulsory legal contribution used for public welfare; the state must use public wealth for the people’s prosperity	Frames taxation as a welfare-oriented public instrument grounded in <i>maslahah ‘ammah</i> , rather than as an unrestricted state claim
<b>Legitimacy condition</b>	Tax may be levied when state resources are insufficient for public needs	Establishes necessity and proportionality as conditions of legitimacy
<b>Ability-to-pay threshold</b>	Income tax is imposed only on financially capable citizens, minimally equivalent to <i>zakat mal nishab</i> ( $\approx$ 85g gold)	Links fiscal burden to capacity and operationalises fairness through threshold-based liability
<b>Object</b>	Tax applies only to productive assets and	Protects essentials and distinguishes

<b>limitation</b>	secondary/tertiary ( <i>hajiyāt/tabsīyyāt</i> ), ( <i>daruriyyāt</i> )	needs essentials	taxable subsistence	surplus from	protected
<b>Anti-oppression safeguards</b>	Essentials must not be double-taxed; staples should not be taxed; non-commercial homes should not be repeatedly taxed				Converts anti-oppression into concrete limits on fiscal extraction
<b>Governance conditions</b>	Tax management must be trustworthy, professional, transparent, accountable, and equitable				Makes administrative integrity part of tax legitimacy itself
<b>Compliance and unlawfulness</b>	Compliance is due only to lawful taxation consistent with these conditions; unjust taxation is prohibited ( <i>haram</i> )				Constructs conditional compliance and normative grounds for resisting unjust taxation
<b>Zakat interaction</b>	<i>Zakat</i> paid by Muslims should reduce tax obligations				Integrates Islamic social finance and state taxation within a single fairness-oriented framework

### Mapping Fiscal Legitimacy: *MAQASID* Systems Reasoning and NKRI Contextualization

Read through Jasser Auda’s *maqasid* systems approach, MUI Fatwa No. 2/2025 can be understood not *merely* as a binary ruling on whether taxation is lawful or unlawful, but as a structured argument about fiscal legitimacy. The fatwa links the permissibility of taxation to public welfare, justice, proportional burden, protection from oppression, and trustworthy governance (Auda, 2008; Majelis Ulama Indonesia, 2025). This reading is important because the fatwa does not treat taxation as legitimate simply because it is imposed by the state. Instead, it organizes fiscal authority around a set of connected ethical and legal conditions. Such an approach is consistent with developments in Islamic normative legal theory, where *maqasid* are not used only as broad moral ideals, but as values that shape legal reasoning, define the scope of obligation, and clarify the public meaning of a ruling (Ahmed, 2025). It also corresponds with contemporary debates on tax design, which increasingly emphasize that taxation requires not only formal legality, but also fairness, accountability, and a defensible relationship between fiscal burden and public benefit (Bridgen & Collins, 2025). In this sense, the fatwa articulates an Islamic grammar of fiscal legitimacy in which redistribution, welfare, and justified burden are treated as mutually connected elements of equitable taxation (Rane, 2023; Saifnazarov et al., 2025).

Auda’s systems framework helps clarify how the internal logic of the fatwa works across several *normative* dimensions. The cognitive feature appears in the fatwa’s response to public concerns about unfair tax practices and in its refusal to ground legitimacy in coercive state authority alone (Al-Turabi & Auda, 2025; Auda, 2008). Wholeness is reflected in the

way Qur’anic ethics, hadith references, legal maxims, and juristic reasoning are combined into a composite justification, rather than being reduced to a single textual proof. This pattern reflects the integrative character of Islamic normative reasoning described by Ahmed (2025). Openness can be seen in the fatwa’s use of modern governance concepts, such as ability to pay, transparency, accountability, and regulatory review, as operational expressions of justice-oriented Islamic law (Rastgar et al., 2023). Interrelatedness appears in the connections among tax burden, public welfare, budgetary sufficiency, administrative integrity, and the zakat-tax relationship. Multidimensionality is visible in the fatwa’s differentiated treatment of taxpayers, taxable objects, necessities, and legality conditions (Bianda, Niteh, Ahmad, et al., 2025; Setiawan, 2023). Purposefulness is explicit because taxation is justified only insofar as it serves public welfare and avoids unjust extraction. The result is not simply a claim that the fatwa is compatible with *maqasid* reasoning. Rather, the fatwa constructs justice as an integrated architecture of objectives, limits, and institutional requirements.

**Table : 3 Systems Mapping of the Fatwa’s Logic through Auda’s Six Features**

Systems Feature	Findings (How the Fatwa Reflects the Feature)	Analytical Significance
<b>Cognition</b>	The fatwa responds to grievances about unfair tax practices and diagnoses fiscal injustice contextually	Shows that fiscal guidance is responsive to lived public concerns, not purely formal
<b>Wholeness</b>	Integrates Qur’an, hadith, legal maxims, and juristic opinions into a composite justification	Prevents equity from being reduced to a single textual proof or isolated doctrinal claim
<b>Openness</b>	Adopts ability-to-pay, transparency, accountability, and regulatory review	Treats modern governance standards as operational expressions of <i>maqasid</i> -oriented justice
<b>Interrelatedness</b>	Links taxation to welfare, budget sufficiency, governance ethics, and zakat reduction	Places taxation within a broader welfare–fiscal ecosystem rather than a standalone duty
<b>Multi-dimensionality</b>	Differentiates taxpayers by capacity, objects by necessity levels, and legality by governance justice	Produces a graded model of legitimacy suited to complex state fiscal conditions
<b>Purposefulness</b>	Welfare and justice are the stated ends; unjust extraction is prohibited	Makes legitimacy depend on ends and institutional conduct, not merely legal form

If Auda’s framework clarifies the fatwa’s internal structure, KH. Afifuddin Muhajir’s *maqasid*-in-NKRI perspective helps situate that structure within the Indonesian nation-state. In this view, the state is not an end in itself, nor is it a purely secular mechanism detached from Islamic normativity. It is better understood as a *wasilah*, a means through which public welfare, justice, and social order may be pursued (Muhajir, 2017). This perspective is useful because it prevents the analysis from falling into a simple opposition between Islamic norms

and state norms. It instead directs attention to the conditions under which civic obligations, including taxation, can be regarded as normatively valid within a political order whose legitimacy depends on substantive welfare commitments, not merely on symbolic religious identity (Muhajir, 2017; Scharbrodt, 2022). Read in this way, the fatwa does not provide an unconditional endorsement of state taxation. It affirms civic compliance only when fiscal authority is exercised justly, transparently, and accountably (Hasanudin & Mubarok, 2023). NKRI contextualization therefore functions as normative mediation. The Indonesian state may be accepted as a vehicle for realizing *maqasid*, but its fiscal practices remain subject to justice-based evaluation. This point also resonates with wider discussions on *Shari'ah* governance, where transparency and accountability are treated as important indicators of institutional and social performance (Toumi & Hussainey, 2023).

Taken together, *maqasid* systems reasoning and NKRI contextualization produce a map of fiscal equity that is oriented toward outcomes, not labels. The ability-to-pay threshold limits the burden on those least able to bear taxation. The protection of essentials, the rejection of taxes on staple goods, and the prohibition of repeated burdens on primary needs operate as harm-prevention safeguards that protect basic living standards and reduce the risk of fiscal marginalization (Setiawan, 2023). The public-use requirement links tax extraction to demonstrable welfare outcomes, so that equity depends not only on collection, but also on the purposive use of revenue for the common good (Majelis Ulama Indonesia, 2025). Governance requirements strengthen this structure by making transparency, integrity, and accountability part of legitimacy itself, rather than treating them as administrative virtues added after taxation has already been justified (Rastgar et al., 2023). The zakat-as-deduction provision adds another layer of coherence because it seeks to reduce double burdens on Muslim taxpayers and integrate Islamic social finance with state fiscal duties (Usman, 2023). In conceptual terms, the fatwa begins as a religious-normative text, is interpreted through *maqasid* values, and is then situated within the NKRI framework, where the state functions as a *wasilah* for realizing public welfare. From this position, it frames the relationship between the state and taxpayers as one that must be mediated by fiscal accountability. This model shows that the fatwa does not replace the legal authority of the state in fiscal matters. Rather, it provides an ethical framework through which the state, taxpayers, and the public can assess whether taxation remains aligned with justice, welfare, and accountable governance.

**Table : 4 Integrated *MAQASID* Mapping of Equity Logic in the Fatwa**

Requirement Cluster	Primary <i>MAQASID</i> Served	Secondary <i>MAQASID</i> Served	Expected Policy Effect
<b>Ability-to-pay threshold</b>	Justice ( <i>'adl</i> ); <i>hifẓ al-māl</i>	Reduced hardship; dignity	Prevents regressive burdens and protects low-income citizens
<b>Exemption of essentials; no staples tax; no double tax on primary needs</b>	<i>Hifẓ al-nafs</i> ; <i>hifẓ al-māl</i>	Social cohesion; harm prevention	Safeguards basic living standards and reduces social discontent
<b>Public-use requirement</b>	<i>Maslahah 'āmmah</i> ; public welfare	Indirect support for education and services	Links fiscal extraction to legitimate welfare outcomes
<b>Governance requirements</b>	Protection of rights and public wealth ( <i>hifẓ al-māl</i> )	Institutional trust; anti-corruption	Reduces misuse, strengthens legitimacy, and improves compliance
<b>Zakat as tax deduction</b>	Justice; coherence of Islamic fiscal obligations	Social solidarity	Minimizes double burden and integrates fiscal subsystems
<b>Unjust taxation prohibited; compliance conditional on fairness</b>	Harm prevention; justice	Rule of law; public confidence	Creates normative guardrails against extortion-like fiscal practices

This mapping also reveals both the strength and the limits of the fatwa’s normative project. On the one hand, the fatwa offers a coherent ethical structure by linking fiscal legitimacy to welfare, justice, protection from oppression, and accountable governance rather than to state authority alone. On the other hand, the same structure raises practical questions about authority, measurement, and enforcement. Who determines when state resources are genuinely insufficient? Who decides whether a tax burden has become excessive? Which institution evaluates whether transparency and accountability have been adequately fulfilled? These questions are not secondary to the argument. They show that *maqasid*-based fiscal legitimacy cannot operate effectively without institutional mechanisms capable of specifying, assessing, and monitoring its conditions. This difficulty is not unique to Indonesia. Broader debates on *maqasid* also point to the challenge of translating higher ethical objectives into administrable public standards, especially when different actors compete over the authority to define those objectives in complex governance settings (Kepplinger, 2025; Kodir et al., 2025). The next section therefore moves from mapping to problematization by examining the anomaly of *MAQASID*-based fiscal legitimacy and the institutional demands generated by its ethical ambition under nation-state conditions.

## The Anomaly of *MAQASID*-Based Fiscal Legitimacy: Equitable Taxation as a Shari'ah Standard

In much contemporary Islamic legal discourse, *maqasid* often appears as a broad ethical language for supporting public policy in the name of justice, welfare, and social benefit. In many cases, its function is justificatory rather than regulatory. It points to desirable ends, but it does not always specify the operational criteria by which policy design, implementation, and legal validity should be assessed. MUI Fatwa No. 2/2025 takes a different route. Rather than invoking *maqasid* only as a general moral horizon for accepting taxation, the fatwa translates equity and public welfare into a fiscal-legal standard that determines when taxation is permissible, who may be taxed, what may be taxed, and how tax revenue must be managed (Majelis Ulama Indonesia, 2025). This is the central anomaly discussed in this article. The anomaly does not mean inconsistency or doctrinal weakness. It refers to the distinctive position of the fatwa, which does not merely endorse taxation in moral terms, but uses *maqasid* reasoning to discipline fiscal power through concrete legal and ethical conditions. This places the fatwa within a reformist trajectory in which *maqasid* is expected to perform a more operational legal role, even though scholars continue to debate how far such operationalization should go (Kepplinger, 2025).

This anomaly becomes clearer in the fatwa's doctrine of conditional fiscal legitimacy. The state is first described as responsible for managing public wealth for the prosperity of the people. Yet taxation is permitted only when that wealth is insufficient and only when certain conditions are fulfilled (Majelis Ulama Indonesia, 2025). Taxation, therefore, is not treated as an unrestricted attribute of sovereignty. It is justified by necessity, limited by proportionality, and assessed according to public purpose. Comparable concerns appear in contemporary fiscal debates, where the legitimacy of taxation is often linked to social need and credible public justification, not merely to formal state authority (Ozai, 2025; Ruane, 2024). What makes the fatwa distinctive is that it reformulates these concerns as a normative-legal structure with explicit conditions and prohibitions. Equity is no longer only a policy aspiration. It becomes an internal criterion for determining whether taxation can be considered religiously valid. In this sense, the fatwa does not simply advocate fair taxation. It makes fairness a condition of tax legitimacy itself.

The same shift is visible in the fatwa's use of a capacity threshold. By linking tax liability to the *nishab* of *zakāt māl*, estimated at 85 grams of gold, the fatwa does more than express sympathy for taxpayers facing hardship. It turns a distributive concern into an operational legal limit (Majelis Ulama Indonesia, 2025). Conceptually, this resembles the

ability-to-pay principle expressed through *maqasid* reasoning. In this approach, burdens should only be placed on those capable of carrying them, and dignity, subsistence, and avoidance of hardship constrain fiscal demand. This logic also aligns with contemporary distributive reasoning, which considers who should bear compensatory burdens and under what conditions such burdens remain fair (Fornaroli, 2025). However, the fatwa's significance lies not simply in its conceptual similarity with modern tax ethics. Rather, its more important contribution is that it establishes a measurable threshold, treating taxation below that threshold as inconsistent with equitable obligation. Thus, *maqasid* reasoning is not merely a vague appeal to compassion but rather a legal boundary that limits fiscal imposition.

A similar transformation appears in the fatwa's limitation of taxable objects and its anti-oppression provisions. Taxable objects are restricted to productive assets and to goods associated with secondary and tertiary needs, while essentials are excluded in order to protect basic livelihoods. The fatwa also prohibits repeated taxation on primary necessities, rejects taxes on staple foods, and disallows repeated taxation on non-commercial residences (Majelis Ulama Indonesia, 2025). These provisions matter because they show that equitable taxation is not reduced to rates, redistribution, or revenue targets in the abstract. It is grounded in a substantive account of what may legitimately become part of the tax base. Comparable concerns appear in fiscal theory when scholars debate how to protect minimum capabilities and prevent regressive pressure on basic consumption, especially in the case of excise or corrective taxes that may become punitive for vulnerable groups (Pai & Strack, 2023). The fatwa's distinctive move is to elevate these protections into legal criteria. Protection of essentials is not presented as administrative discretion, but as a condition for determining whether taxation remains compatible with a *Shari'ah*-based standard of justice.

The fatwa extends this standard by incorporating governance integrity into the meaning of equity. Tax funds are treated as a public trust and must be managed with honesty, professionalism, transparency, accountability, and fairness (Majelis Ulama Indonesia, 2025). This is a significant expansion of equitable taxation because it makes procedural integrity part of legitimacy, not merely a managerial virtue added after taxation has already been justified. Put differently, the fatwa does not allow distributive fairness to be separated from administrative ethics. Research on governance and compliance supports this point by showing that public trust depends not only on enforcement, but also on credible performance and perceived trustworthiness (Levi, 2022). Similarly, scholarship on transparency and Islamic governance treats accountability as a rights-protecting and anti-

corruption norm, not merely as a technical administrative preference (Rastgar et al., 2023). In the fatwa's reasoning, procedural justice is therefore not supplementary to *maqasid*. It is constitutive of it. This explains why taxation that is not managed with *amānah* may be classified as religiously impermissible, even if it may still appear formally valid within positive law (Majelis Ulama Indonesia, 2025).

At the same time, the movement from ethical horizon to *Shari'ah* standard creates an unavoidable institutional question: who determines what counts as justice, excessive burden, or genuine public welfare in contested fiscal settings? This is where the anomaly becomes institutional as well as doctrinal. Islamic normative legal theory may require rulings to be oriented toward higher objectives, as Ahmed argues, but once *maqasid* is made regulative, questions of specification, measurement, and adjudication can no longer be postponed (Ahmed, 2025; Kamali, 2021). In formal legal terms, assessment of tax policy remains within the authority of the state through legislation, tax administration, audit, judicial review, and public oversight. The fatwa does not replace that legal-fiscal authority. Its role is different. It provides a religious-ethical framework through which ulama, academics, civil society, and Muslim taxpayers may evaluate whether fiscal policy remains aligned with justice, public benefit, and accountability. Belhaj's discussion of critiques associated with al-Marzūqī is relevant here because it highlights the epistemological vulnerability of *maqasid* when legal ends are formulated without sufficient constraints on their instrumental or politically contingent use (Belhaj, 2023). The same higher objectives that support taxation may also be invoked to challenge it. This does not weaken the fatwa's approach, but it shows that *maqasid*-based fiscal legitimacy requires institutional mechanisms capable of reviewing and contesting claims about fairness and public benefit.

The fatwa's treatment of zakat and taxation reinforces both its productive ambition and its practical complexity. By treating zakat as a factor that reduces tax obligations for Muslims, the fatwa seeks to coordinate Islamic social finance with state taxation and to prevent the perception of a double fiscal burden (Daud & Wahid, 2025; Majelis Ulama Indonesia, 2025). This reflects a *maqasid* logic of solidarity, fairness, and protection of wealth. It also parallels policy concerns about overlapping fiscal instruments that may intensify pressure on the same households if they remain uncoordinated. Yet this move also increases the need for administrative clarity. Once zakat affects tax liability, questions of verification, documentation, institutional coordination, equal treatment, and dispute resolution become unavoidable. The fatwa therefore does more than moralize taxation. It points toward an

integrated fiscal framework whose normative coherence depends on credible implementation mechanisms. In this respect, the anomaly lies not only in creating a *shari'ah* benchmark for equitable taxation, but also in implicitly requiring administrative forms capable of sustaining that benchmark in practice.

Seen from this broader perspective, the anomaly is productive rather than merely problematic. MUI Fatwa No. 2/2025 shows how *maqasid* reasoning can move beyond ethical rhetoric and take the form of auditable constraints, including capacity thresholds, limits on taxable objects, anti-oppression safeguards, and governance requirements. In doing so, it contributes to a reformist *maqasid* trajectory that seeks to connect higher objectives with practical legal reasoning rather than leaving them at the level of abstract moral philosophy (Kepplinger, 2025). At the same time, the fatwa also reveals the cost of that move. The more *maqasid* functions as a legal standard, the more it requires institutional specification, monitoring, and review. Taken as a whole, the fatwa offers a model of *maqasid*-based fiscal legitimacy in which permissibility is tied to necessity, equity is tied to thresholds and protected essentials, and legality is tied to governance integrity (Majelis Ulama Indonesia, 2025). This architecture clarifies what equitable taxation means within the fatwa's own logic. It also leads to the next question: how such a *shari'ah* standard operates within a constitutional nation-state, where authority, compliance, and policy contestation shape the practical meaning of justice under NKRI conditions.

### **State Contextualization and the Politics of Compliance under NKRI Conditions**

*Maqasid*-based reasoning in Indonesian fatwas operates within a nation-state setting where taxation is a constitutional civic obligation, while Islamic legal authority generally works through moral guidance rather than coercive enforcement. This institutional arrangement is important because it allows a fatwa to shape the ethical boundaries of fiscal legitimacy without replacing statutory authority. Indonesia's legal order has often been described as accommodating Islamic values through constitutional mediation rather than through the formal establishment of an Islamic state. This enables Islamic norms to circulate in public life as religious, legal, and civic references at the same time (Omara, 2024). Within this context, *maqasid* is frequently used to articulate ethical standards for public policy and economic life, especially in relation to justice, social responsibility, and fair distribution (Setiawan, 2023; Yudha et al., 2025). The result is a plural legal and moral field in which

Islamic normative claims must remain intelligible both as religious guidance and as civic ethics within the framework of NKRI.

This broader setting helps explain the dynamic character of Indonesia's fatwa ecology. In the field of economic law, fatwa-making has developed responsively by adjusting legal determinations to changing socio-economic realities and to the operative rationales, or *'illat*, underlying particular rulings. This can be seen in the jurisprudential practice of DSN-MUI (Hasanudin & Mubarak, 2023). At the same time, methodological experimentation has expanded the ethical range of *fiqh*, including the integration of *maqasid* with approaches such as *maqasid cum-mubādalab*, which bring experiential and justice-sensitive perspectives into legal discourse (Kodir et al., 2025). *maqasid* reasoning has also entered constitutional adjudication, for instance through harm-prevention arguments used to support rights-protective reforms in marriage-age cases (Al-Turabi & Auda, 2025; Purnomo et al., 2023). These developments show that *maqasid* in Indonesia is no longer confined to juristic doctrine. It has become part of a broader discourse on rights, welfare, and legal reform in both state and societal arenas. MUI Fatwa No. 2/2025 on equitable taxation should therefore be read within this wider ecology of negotiated normativity, not as an isolated doctrinal statement.

Within this ecology, KH. Afifuddin Muhajir's *maqasid*-in-NKRI contextualization offers an important way to ground civic obligations without relying on a doctrinal model of an Islamic state. In this perspective, the state functions as a *wasīlah*, a means through which *maqasid* may be realized. The legitimacy of public authority is therefore judged by substantive welfare, justice, and protection of the vulnerable, rather than by symbolic constitutional labels alone (Muhajir, 2017). This approach is consistent with wider scholarship on the integration of Islamic law into modern legal systems, which shows that Islamic norms often operate through negotiation with state law rather than through direct claims of sovereignty (Scharbrodt, 2022). It also helps explain why instruments such as *zakat* may be coordinated with state fiscal arrangements, as illustrated in Aceh, where *zakat* has been treated as a tax deduction within a particular political and regulatory configuration (Syahbandir et al., 2022). Read through this lens, the central question is not whether taxation is "Islamic" in a formalistic sense, but whether it functions as a credible means for realizing justice, welfare, and social protection under nation-state conditions.

Against this background, MUI Fatwa No. 2/2025 can be read as an effort to align religious obligation with constitutional ethics by placing justice and accountability at the center of fiscal legitimacy. The fatwa presents taxation as permissible only when it secures

public welfare and prevents oppression. It therefore frames civic taxation as a moral and civic duty when it satisfies *maqasid*-based conditions (Majelis Ulama Indonesia, 2025). This logic resonates with the view that *maqasid* helps preserve the ethical orientation of legal rulings, rather than allowing legal obligation to rest on doctrinal formality alone (Al-Turabi & Auda, 2025; Bianda, Niteh, Ahmad, et al., 2025). It also intersects with broader discussions of social justice in Islamic governance, where redistribution and protection of vulnerable groups are treated as core elements of public responsibility (Saifnazarov et al., 2025). In practical terms, the fatwa enables Indonesian Muslims to inhabit two normative identities at once: as citizens bound by constitutional obligations and as believers whose public duties remain subject to justice-based moral evaluation. This is where the politics of compliance becomes visible. The fatwa does not call for unconditional obedience. It supports tax payment under just conditions while preserving moral grounds for criticizing oppressive taxation (Majelis Ulama Indonesia, 2025; Ozai, 2020). In this way, the fatwa mediates the tension between religious normativity and state authority rather than dissolving it.

The politics of compliance becomes especially clear in the fatwa's treatment of governance failure as a central fiscal concern. Its emphasis on transparency, professionalism, accountability, and the eradication of the "tax mafia" shifts the discussion away from simple anti-tax rhetoric and toward the institutional conditions required for legitimate taxation (Majelis Ulama Indonesia, 2025). This is analytically significant because comparative scholarship shows that fiscal crises often coincide with fractures in public trust and institutional credibility. Stable compliance becomes difficult to sustain when tax systems are perceived as inequitable, corrupt, or detached from public benefit (Döpking, 2025; Mitchell, 2024). Research on tax morale similarly indicates that compliance depends not only on legal sanctions, but also on institutional credibility and citizens' affective judgments of fairness (Pellerin & Söderström, 2022). The fatwa captures this governance-centered logic in an especially explicit formulation:

"Pajak yang dibayarkan oleh wajib pajak, secara syar'i merupakan milik rakyat yang pengelolaannya diamanahkan kepada pemerintah (ulil amri), oleh karena itu pemerintah wajib mengelola harta pajak dengan prinsip amanah yaitu jujur, profesional, transparan, akuntabel dan berkeadilan". Translation: "Taxes paid by taxpayers are, according to Islamic law, the property of the people, the management of which is entrusted to the government (ulil amri). Therefore, the government is obliged to manage tax assets based on the principles of trustworthiness, namely honesty, professionalism, transparency, accountability, and fairness" (Majelis Ulama Indonesia, 2025).

By characterizing tax revenue as entrusted public wealth rather than a mere sovereign claim, the fatwa redefines fiscal administration as a moral test of governance. Its *amānah* framing functions not only as an ethical reminder, but also as an accountability trigger that ties fiscal legitimacy to institutional integrity and public justification (Kirby, 2021; Milner et al., 2023). This point also clarifies how the fatwa can exert ethical pressure on the state without taking over the state's legal-fiscal authority. MUI does not determine statutory tax rates, administer tax collection, or replace the institutions of legislation, audit, and judicial review. Its role is instead to provide a religious-normative benchmark through which taxation may be assessed. Formally, the state remains the institution that defines tax obligations through law and regulation. Ethically, however, ulama, academics, civil society, and taxpayers may use the fatwa's indicators to evaluate whether taxation is aligned with justice, public welfare, and accountable governance. The assessment of equitable taxation is therefore layered: legal and administrative within the state, religious and ethical within fatwa authority, and social within public scrutiny.

The zakat-as-tax-deduction clause reveals both the promise and the administrative complexity of harmonizing religious and state fiscal subsystems. Normatively, it seeks to reduce the perception of a dual burden and to integrate redistributive obligations within a single fairness-oriented framework (Majelis Ulama Indonesia, 2025). Yet the experience of Aceh shows that this kind of coordination depends heavily on political configuration, regulatory clarity, and administrative support (Syahbandir et al., 2022). Comparative research on zakat institutions in Malaysia likewise suggests that their welfare effects depend not only on ethical commitment, but also on data quality, institutional capacity, and transparent distribution mechanisms (Daud & Wahid, 2025). This means that the fatwa's integration logic is normatively coherent, but institutionally demanding. Once zakat and taxation intersect, questions of verification, documentation, coordination between zakat institutions and tax authorities, and equal treatment across taxpayer categories become unavoidable. The fatwa therefore does not merely harmonize obligations at the level of principle. It also exposes the need for procedural and regulatory infrastructures capable of sustaining that harmonization under NKRI governance.

Taken together, the fatwa's equity framework can be understood as a normative model for fiscal reform within the Indonesian nation-state. It offers a conditional and multidimensional *maqasid* standard that links distributive protection to governance ethics and frames compliance as morally owed only when justice and public benefit are credibly pursued

(Ahmed, 2025; Maram et al., 2024). Its broader significance lies in showing that the permissibility of taxation cannot be separated from the quality of its governance. At the same time, the fatwa also makes clear that normative conditionality is not sufficient by itself. If *maqasid* constraints are to function as more than declaratory ideals, they require legal refinement, oversight mechanisms, and accountability pathways capable of measuring fairness, disciplining abuse, and coordinating overlapping fiscal obligations. In this respect, MUI Fatwa No. 2/2025 does not merely declare taxation permissible. It offers a framework for judging how taxation should be governed under nation-state conditions. This is also the central implication of the article as a whole: MUI constructs equitable taxation through conditional legitimacy, distributive protection, and procedural integrity, while the NKRI context determines whether those standards can be sustained through institutions capable of translating justice claims into durable governance practice.

## CONCLUSION

This article has shown that MUI Fatwa No. 2/2025 on Equitable Taxation constructs taxation through three main categories: conditional legitimacy, distributive protection, and procedural integrity. Taxation is not treated as automatically legitimate simply because it is imposed by the *state*. It becomes religiously and ethically justifiable only when it responds to genuine public need, serves *maslahah ‘ammah*, avoids oppressive extraction, and remains proportionate to the taxpayer’s ability to pay. In this sense, the fatwa places clear normative limits on state fiscal authority and frames tax compliance as a justice-based obligation rather than an unconditional civic duty.

The fatwa also develops a model of distributive protection by linking tax liability to financial capacity, protecting essential needs from excessive fiscal burden, and distinguishing taxable surplus from *protected* subsistence. Its use of the *niṣāb* of *zakāt māl* as a threshold, its exclusion of primary necessities from unjust taxation, and its treatment of zakat as a tax-reducing factor show that equitable taxation is not merely a matter of revenue collection. It is a *maqasid*-oriented mechanism designed to prevent regressive burdens, protect vulnerable taxpayers, and avoid overlapping fiscal obligations. At the same time, the fatwa makes procedural integrity central to fiscal legitimacy by requiring tax revenue to be managed with *amānah*, honesty, professionalism, transparency, accountability, and fairness.

By reading the fatwa through Jasser Auda’s *maqasid* systems approach and KH. Afifuddin Muhajir’s NKRI-contextual framework, this article argues that the fatwa functions

as an ethical-normative framework for evaluating fiscal governance in the Indonesian nation-state. The state remains the holder of formal legal-fiscal authority, while the fatwa provides a religious and moral benchmark for assessing whether taxation is aligned with justice, public welfare, and accountable administration. The article therefore contributes to Islamic law, fatwa studies, *maqasid* studies, and fiscal governance by showing how a contemporary fatwa can transform taxation from a question of permissibility into a structured standard of fiscal justice. Further research may examine how these standards are implemented, negotiated, or contested in concrete fiscal institutions and public policy settings.

## REFERENCES

- Ahmed, H. (2025). Islamic Normative Legal Theory: Framework and Applications. *The Journal of Law and Religion*, 1–31. <https://doi.org/10.1017/jlr.2025.10056>
- Al-Turabi, U. M., & Auda, J. (2025). Toward a *MAQASID*-Based Legal Reform: Systemic Thinking for Social Transformation in the Modern Muslim World. *Indonesian Journal of Islamic Law*, 8(2), 209–228. <https://doi.org/10.35719/fhw10v84>
- Alnizar, F., Manshur, F. M., & Ma'ruf, A. (2023). Following the Global Rejection: The Motives of Majelis Ulama Indonesia's Fatwas on Ahmadiyah. *Studia Islamika*, 29(3). <https://doi.org/10.36712/sdi.v29i3.15349>
- Altenburger, S. (2025). The case for tax publicity. *European Journal of Political Theory*. <https://doi.org/10.1177/14748851251327157>
- Auda, J. (2008). *Maqasid al-Shariah as Philosophy of Islamic Law: A Systems Approach*. International Institute of Islamic Thought (IIIT).
- Bachas, P., Jensen, A., & Gadenne, L. (2024). Tax Equity in Low- and Middle-Income Countries. *Journal of Economic Perspectives*. <https://doi.org/10.1257/jep.38.1.55>
- Belhaj, A. (2023). Abū Ya'rub al-Marzūqī and His Critique of the *MAQASID* Theory. *Religions*. <https://doi.org/10.3390/rel14091212>
- Bernabéu, B. S. (2025). Análisis de los controvertidos óbices para la consecución de la justicia fiscal y la realización de los derechos humanos. *Novum Jus*, 19(1). <https://doi.org/10.14718/novumjus.2025.19.1.1>
- Bianda, R. (2025). Zakat and Green Economic Growth from a Maqashid Sharia Perspective. *International Journal of Zakat*, 10(2), 79–93. <https://doi.org/10.37706/ijaz.v10i2.664>
- Bianda, R., Niteh, M. Y., & Ahmad, M. (2025). Maqāsidī Paradigm in the Indonesian Ulema Council (MUI) Fatwa 2024 Reorienting Mashlahah in the Issue of Halal Products and Khabā'its: Paradigma Maqāsidī dalam Fatwa Majelis Ulama Indonesia (MUI) 2024 Mengorientasikan Semula Mashlahah dalam Isu Produk Hal. *Journal of Muwafaqat*, 8(2), 120–138. <https://muwafaqat.uis.edu.my/index.php/journal/article/view/201>
- Bianda, R., Niteh, M. Y., Ahmad, M., & Gunaepi, A. (2025). Digital Professions and the Future of Zakat: A *MAQASID*-Based Study of the 2024 Fatwa by the Indonesian Ulema Council (MUI). *WARAQAT: Jurnal Ilmu-Ilmu Keislaman*, 10(2), 234–253. <https://doi.org/10.51590/waraqat.v10i2.1114>
- Bianda, R., Niteh, M. Y., Ahmad, M., Sharil, S., & Shahabudin, M. F. R. (2026). The Role Of Fatwa Majelis Ulama Indonesia (MUI) In Asset Forfeiture A Maqashid Shariah Perspective On Legal And Ethical Considerations In Indonesia. *Journal of Fatwa Management and Research*, 31(1), 46–79. <https://doi.org/10.33102/jfatwa.vol31no1.675>
- Bridgen, P., & Collins, M. (2025). Taxation, Environmental Sustainability, and Distributive Outcomes: Balancing Behavioural Change and Fairness. *Social Policy and Society*, 1–20. <https://doi.org/10.1017/s1474746425000120>
- Daud, M. S. M., & Wahid, H. (2025). Assessing the role of zakat institutions in the socio-economic sustainability of the poor and destitute in Malaysia. *International Journal of Sociology and Social Policy*, 1–16. <https://doi.org/10.1108/ijssp-01-2025-0036>

- Döpking, L. (2025). The Emergence of a Fiscal Cleavage: Evasori, Tartassati, and the Italian Tax State Since 1973. *Politics & Society*, 53(3), 355–395. <https://doi.org/10.1177/00323292251314687>
- Fornaroli, G. (2025). On corrective and distributive requirements: The case of the beneficiary pays principle. *The Philosophical Quarterly*. <https://doi.org/10.1093/pq/pqaf010>
- Hasanudin, H., & Mubarak, J. (2023). Progressiveness of Islamic Economic Law in Indonesia: The Murā'at Al-ʿIlal wa Al-Masalih Approach. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 7(2), 1267. <https://doi.org/10.22373/sjhc.v7i2.17601>
- Hsu, H.-Y. (2023). Fiscal transparency and tax morale: is the relationship shaped by perceptions of government performance and corruption? *International Review of Administrative Sciences*. <https://doi.org/10.1177/00208523231220599>
- Izmuddin, I., Amalia, E., Nasir, M. A., & Muttaqin, F. (2023). The Legitimation of Religion in Profit Seeking: The Role of National Shari'ah Division of The Indonesian Muslim Council (DSN-MUI). *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 7(2), 781. <https://doi.org/10.22373/sjhc.v7i2.15835>
- Kamali, M. H. (2021). History and Jurisprudence of the MAQASID: A Critical Appraisal. *American Journal of Islam and Society*, 38(3–4), 8–34. <https://doi.org/10.63452/IJAFSSR.2026.4101>
- Kepplinger, E. (2025). The MAQASID as a Means for a Contemporary, Ethically Based Muslim Thought: A Comparison of the Views of Taha Abd al-Rahman and Taha Jabir al-Alwani. *Religions*, 16(8), 1080. <https://doi.org/10.3390/rel16081080>
- Kirby, N. (2021). An 'Institution-First' Conception of Public Integrity. *British Journal of Political Science*, 51(4), 1620–1635. <https://doi.org/10.1017/S000712342000006X>
- Klenert, D., Funke, F., Cai, M., & Cai, M. (2023). Meat taxes in Europe can be designed to avoid overburdening low-income consumers. *Nature Food*, 4, 894–901. <https://doi.org/10.1038/s43016-023-00849-z>
- Kodir, F. A., Ismah, N., Kotele, S., Hasyim, W., & Din, F. (2025). MAQASID cum-Mubādalah Methodology of KUPI: Centering Women's Experiences in Islamic Law for Gender-Just Fiqh. *Al-Ihkam: Jurnal Hukum Dan Pranata Sosial*, 19(2), 519–545. <https://doi.org/10.19105/al-ihkam.v19i2.16617>
- Levi, M. (2022). Trustworthy Government: The Obligations of Government & the Responsibilities of the Governed. *Daedalus*, 151(4), 215–233. [https://doi.org/10.1162/daed\\_a\\_01952](https://doi.org/10.1162/daed_a_01952)
- Majelis Ulama Indonesia. (2025). *Fatwa Majelis Ulama Indonesia Nomor 2/MUNAS XI/MUI/2025 tentang Pajak Berkeadilan*. Majelis Ulama Indonesia. <https://fatwamui.com/storage/649/FATWA-PAJAK-BERKEADILAN.pdf>
- Majid, A. H. A., Sagirah, S., Wendry, N., Safri, E., & Syafruddin, S. (2023). The Method in Understanding Hadith Through Ijmā' and Its Implications for Islamic Law in Indonesia: Studies on the Hadiths of the Month of Qamariyah. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 7(1), 281. <https://doi.org/10.22373/sjhc.v7i1.12383>
- Maram, A. N., Said, I. G., & Tutik, T. T. (2024). Fatwā on The Ruling of Hajj Without Taṣrīh;

- The Case of Indonesian Hajj Pilgrims in 2024. *Al-Ihkam: Jurnal Hukum Dan Pranata Sosial*, 19(2), 413–443. <https://doi.org/10.19105/al-lhkam.v19i2.15437>
- Milner, H. V, de la Cuesta, B., Martin, L., & Nielson, D. L. (2023). Do Indirect Taxes Bite? How Hiding Taxes Erases Accountability Demands from Citizens. *The Journal of Politics*. <https://doi.org/10.1086/724962>
- Mitchell, D. M. C. (2024). On corrupt institutions. *Critical Review of International Social and Political Philosophy*. <https://doi.org/10.1080/13698230.2024.2318171>
- Muhajir, A. (2017). *Fiqh Tata Negara: Upaya Menuju Reaktualisasi Fiqh Politik Islam*. IRCiSoD.
- Omara, A. (2024). Why Not Indonesia an Islamic State? Constitutional Debate Concerning Religion-State Relation in A Muslim Majority Country. *Samarah : Jurnal Hukum Keluarga Dan Hukum Islam*, 8(1), 421. <https://doi.org/10.22373/sjkh.v8i1.15889>
- Ozai, I. (2020). Two accounts of international tax justice. *Canadian Journal of Law & Jurisprudence*, 33(2), 317–339. <https://doi.org/10.1017/cjlj.2020.8>
- Ozai, I. (2025). Global justice in the reshaping of international tax. *Journal of International Economic Law*. <https://doi.org/10.1093/jiel/jgae054>
- Pai, M. M., & Strack, P. (2023). Taxing Externalities Without Hurting the Poor. *ACM Conference on Economics and Computation*. <https://doi.org/10.1145/3580507.3597765>
- Pellerin, C. L., & Söderström, J. (2022). ‘Render unto Caesar the things that are Caesar’s and unto God the things that are God’s?’ Making sense of tax non-compliance among small business owners in Addis Ababa, Ethiopia. *Journal of Eastern African Studies*, 16(3), 395–414. <https://doi.org/10.1080/17531055.2023.2193780>
- Purnomo, A., Salam, N., Zamzami, M., & Bakar, A. (2023). Dimensions of *MAQASID* Al-Shari‘ah and Human Rights in the Constitutional Court’s Decision on Marriage Age Difference in Indonesia. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*. <https://doi.org/10.22373/sjkh.v7i3.13283>
- Rane, H. (2023). Higher Objectives (*MAQASID*) of Covenants in Islam: A Content Analysis of ‘ahd and mīthāq in the Qur’ān. *Religions*, 14(4), 514. <https://doi.org/10.3390/rel14040514>
- Rastgar, A. A., Davoudi, S. A. M., Surahman, H. S., & Al-Salami, A. A. A. (2023). Following Islamic teachings in the governance of Islamic society with an emphasis on transparency. *Theological Studies/Teologiese Studies*, 79(1). <https://doi.org/10.4102/hts.v79i1.8032>
- Ruane, S. (2024). Taxation and Social Need: Lessons from the Short-Lived UK Health and Social Care Levy. *Social Policy and Society*, 1–14. <https://doi.org/10.1017/s147474642400037x>
- Saifnazarov, I., Mukhtarov, A., Aliyev, B., Kuchkarov, V., & Ernazarov, D. (2025). The Interplay between Sharia Law, Religious Principles, and Social Justice in the Islamic Tradition. *Pharos Journal of Theology*, 106.3. <https://doi.org/10.46222/pharosjot.106.3033>
- Scharbrodt, O. (2022). Recasting Islamic Law: Religion and the Nation State in Egyptian Constitution Making By Rachel M. Scott. *Journal of Islamic Studies*, 33(3), 425–428.

<https://doi.org/10.1093/jis/etac024>

- Setiawan, R. A. (2023). Avoidance of Riba-Based Loans and Enhancement of Quality of Life: An Indonesian Context Analysis. *Religions*. <https://doi.org/10.3390/rel14111376>
- Suparno, D., Rokhim, M., Chairul, S. F., & Atih, I. (2025). Islam Nusantara in Song: Transitivity Benchmarking on Qasidah Nahdliyah. *Studia Islamika*, 32(2), 279–311. <https://doi.org/10.36712/sdi.v32i2.46438>
- Syahbandir, M., Alqarni, W., MAZ, D., Hakim, A., & Muhiddin, B. (2022). State Authority for Management of Zakat, Infaq, and Sadaqah as Locally-Generated Revenue: A Case Study at Baitul Mal in Aceh. *Al-Ihkam: Jurnal Hukum Dan Pranata Sosial*, 17(2), 554–577. <https://doi.org/10.19105/al-lhkam.v17i2.7229>
- Timmer, D. (2021). Thresholds in Distributive Justice. *Utilitas*, 33(4), 422–441. <https://doi.org/10.1017/S0953820821000194>
- Toumi, K., & Hussainey, K. (2023). Shari'ah governance quality and environmental, social and governance performance in Islamic banks. A cross-country evidence. *Journal of Applied Accounting Research*. <https://doi.org/10.1108/jaar-08-2022-0208>
- Usman, M. (2023). Zakat Distribution for Handling Transgender in Indonesia: A Perspective of Masalah Mursalah. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 7(1), 357. <https://doi.org/10.22373/sjkh.v7i1.16934>
- Verbeek, B. (2024). Isolationism, instrumentalism and fiscal policy. *Economics and Philosophy*, 1–19. <https://doi.org/10.1017/s0266267124000130>
- Wahb, Y. A. (2023). The Use and Misuse of Zakāh Funds by Religious Institutions in North America. *Religions*, 14(2), 164. <https://doi.org/10.3390/rel14020164>
- Yudha, A. T., Dalimunthe, A. Q., & Rahma, A. N. D. (2025). Surrogacy in Islamic Jurisprudence: A Comprehensive Study of *Maqasid* al-Shariah and Ethical Viability According to Contemporary Mufassir. *Pharos Journal of Theology*, 106.4. <https://doi.org/10.46222/pharosjot.106.401>