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Harmonizing Tradition and Sharia: *Istishab* in Managing a Deferred Non-Negotiated Fish Transactions in Indonesia

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Abstract

This study aimed to analyze the application of *Istishab*, a tenet of Islamic jurisprudence, to address the issues of non-negotiated fish prices within the Iha community, Central Maluku, Indonesia. The community was characterized by complicated relationships between religious principles and cultural traditions, which frequently led to tension. The analysis addressed a significant issue which included the reconciliation of the centuries-old traditions of the community with the Sharia law to prevent disagreements and ensure the group's economic viability. Using in-depth interviews with stakeholders, detailed market observations, and thorough document analysis, this study investigated the social, financial, and normative dynamics of *Istishab* through a qualitative case study methodology. The results showed that *Istishab* stabilized prices, reduced conflicts, and supported the community's economic resilience by mediating between Islamic legal principles and cultural practices. This showed the adaptability of Islamic law in adopting and reinforcing local traditions. Furthermore, the study showed how *Istishab* served as a bridge between cultural and Sharia disputes. It concluded that *Istishab* provided a practical solution for maintaining harmony in economic transactions within multicultural communities. The results possessed broader implications for the integration of Islamic legal concepts with local practices to promote communal stability.

Keywords: *Istishab*; Islamic Jurisprudence; Cultural Traditions; Sharia Law; Economic Resilience.

Abstrak

Penelitian ini bertujuan untuk mengungkap penerapan *Istishab*, sebuah prinsip hukum Islam, untuk mengatasi masalah harga ikan yang tidak dinegosiasikan dalam masyarakat Iha, Maluku Tengah, Indonesia. Komunitas ini memiliki hubungan yang rumit antara prinsip-prinsip agama dan tradisi budaya, yang sering menimbulkan ketegangan. Analisis ini membahas isu penting yang mencakup rekonsiliasi tradisi masyarakat yang telah berusia berabad-abad dengan hukum Syariah untuk mencegah perselisihan dan memastikan keberlangsungan ekonomi kelompok. Dengan menggunakan wawancara mendalam dengan para pemangku kepentingan, observasi pasar yang terperinci, dan analisis dokumen yang menyeluruh, studi ini menyelidiki dinamika sosial, keuangan, dan normatif *Istishab* melalui metodologi studi kasus kualitatif. Hasil penelitian menunjukkan bahwa *Istishab* menstabilkan harga, mengurangi konflik, dan mendukung ketahanan ekonomi masyarakat dengan memediasi prinsip-prinsip hukum Islam dan praktik-praktik budaya. Hal ini menunjukkan kemampuan adaptasi hukum Islam dalam mengadopsi dan memperkuat tradisi lokal. Lebih lanjut, penelitian ini menunjukkan bagaimana *Istishab* berfungsi sebagai jembatan antara perselisihan budaya dan Syariah. Penelitian ini menyimpulkan bahwa *Istishab* memberikan solusi praktis untuk menjaga keharmonisan dalam transaksi ekonomi dalam masyarakat multikultural. Hasil penelitian ini memiliki implikasi yang lebih luas untuk integrasi konsep hukum Islam dengan praktik-praktik lokal untuk mempromosikan stabilitas komunal..

Kata Kunci: *Istishab*; Hukum Islam; Tradisi Budaya; Hukum Syariah; Ketahanan Ekonomi.

Introduction

Fishing vessels return from the nocturnal excursions at dawn's muted light, welcomed by middle-aged women who promptly gather around the vessel (Gregory, 2023). These women are fish collectors, prepared to sell the catch at the market or distribute it door-to-door within the adjacent community (Aswathy & Kalpana, 2018; Moreau & Garaway, 2021; Rejula et al., 2023). However, a unique element is evident in this trading rhythm where transactions are often executed without prompt payment during amicable interactions and rapid actions (Alhothaily et al., 2017; Gomber et al., 2018; Putrevu & Mertzanis, 2024). Monetary transactions also occur solely in the late afternoon, after the women have sold the fish (Aswathy & Kalpana, 2019). The absence of pricing haggling which is a common characteristic of most transactions is particularly fascinating (Badarneh et al., 2016; Cochoy et al., 2018; He et al., 2019). Prices are accepted without question, a norm that seems typical to participants but exceptional to outsiders. This ancient society which resolutely maintains values and beliefs inherited from the Islamic kingdom era, reflects a fascinating harmony.

However, the equilibrium raises a significant question on how the lack of pricing transparency which might lead to *gharar* (uncertainty) in other contexts fails to incite conflicts in this instance (Diggins, 2019). Could the solution lie in the strength of the traditions, the ingrained Islamic ideals, or a distinctive interaction of both? These questions stimulate the desire to explore extraordinary lifestyles further (Audretsch et al., 2017). Cultural habits have the potential to hinder public health initiatives, outlining the significant impact of culture on daily existence (Jaja et al., 2020). Similarly, conflict

between cultural norms and religious regulations pertaining to women's property rights in Nigeria (Udoh et al., 2020). Religion and culture were intertwined, playing a significant role in providing meaning within social contexts such as the management of cancer patients (Ahmadi et al., 2019). These studies suggest that religion and culture are deeply interconnected and cannot be separated from social practices.

Therefore, understanding the interplay between religion and culture as well as the impact on the economic choices of local populations (Harakan et al., 2024; Kose & Cinar, 2024; Kuran, 2018; Van Buren et al., 2019) in Iha Ambon is crucial regarding cashless transactions. This study explores the dynamic in-depth, focusing on the potential harmonization or conflict between religious and cultural values in economic behaviors. Previous articles also outline that the interplay of religion, culture, and the concepts of *gharar* and *Istishab* significantly influences economic behavior across societies. For instance, (Jaja et al., 2020) showed that local customs frequently impacted the enforcement of religious standards, leading to conflicts in social and economic customs such as burial rituals conflicting with public health initiatives.

In the framework of Islamic economics and the concept of *gharar* poses a significant obstacle in contemporary transactions. (Abubakar et al., 2019) further explained that the speculative nature and lack of regulation in cryptocurrencies exemplify *gharar*. On the other hand, *Istishab* which is an Islamic legal principle that maintains the status quo until substantial evidence warrants a change has been used to address uncertainties in economic transactions. (Ihza & Nurlaeli, 2024) also emphasized the role of *Istishab* in preserving legal certainty among social and economic transformations.

This study is unique in the investigation of the integration of the concepts to establish a harmonious relationship between religious and cultural values in non-monetary trading activities within the Iha Ambon community. It further aims to provide fresh perspectives on effectively managing uncertainty in economic transactions by incorporating the concepts and considering local socio-cultural dynamics. The article also examines the dynamic interplay between religion and culture in the Iha Ambon tribe, specifically on non-cash fish transactions. Furthermore, it seeks to comprehend and tackle the uncertainties inherent in local economic interactions by concentrating on the principles of *gharar* (uncertainty) and *Istishab* (continuity of the status quo). The study explores how religious doctrines and cultural traditions coexist—whether in harmony or conflict—within non-monetary exchange practices. Additionally, it investigates how *Istishab* can serve as a mediating principle to ensure fairness and compliance with Sharia while respecting deeply rooted cultural norms.

The study is significant because it aims to elucidate the interaction between Islamic legal principles and local cultural norms, showing how the elements shape economic behaviors. In the Iha Ambon context, *Istishab* evolves as a critical tool for managing uncertainty and maintaining trade stability while cultural values influence the development and acceptance of non-cash transactions. By synthesizing these approaches, the study offers an in-depth understanding of how Islamic jurisprudence adapts to specific cultural contexts. It further seeks to provide practical insights for policymakers and communities to develop economic systems that balance equity with Sharia values, alongside theoretical contributions to the concepts of *Istishab* and *gharar*.

Methods

This study examined non-cash fish trading transactions in the Iha community, focusing on the practice of non-negotiated prices and the application of the *Istishab* principle to ensure price stability. A qualitative analysis design using a case study approach (Ebneyamini & Sadeghi Moghadam, 2018; Harrison et al., 2017) was used to investigate the functioning of the *Istishab* principle within a specific local context, comprising normative, social, and economic dimensions.

The primary data sources comprised comprehensive interviews conducted with fish vendors, purchasers, and community leaders, alongside firsthand observations at the fish market to gain insights into pricing patterns and social dynamics. Secondary data included related documents such as market records, local regulations on pricing, and pertinent literature on Sharia law. The data collection process included interviews, observations, and document analysis to develop a thorough understanding of the research topic (Moser & Korstjens, 2018). Thematic analysis techniques were used to analyze the data using coding methods to identify significant themes from the interviews, observations, and documentation (Nowell et al., 2017). The data were then classified based on normative, social, and economic aspects and analyzed within the framework of Sharia law theory and local customs to identify patterns and correlations between the *Istishab* principle and price stability.

A triangulation technique was used to validate the study instruments (Santos et al., 2020), including various stakeholders such as transaction participants, local authorities (raja), and scholars. This method enhanced the quality and reliability of the data by incorporating diverse perspectives, thereby increasing the credibility of the results. Triangulation ensured that the study tools including interview guidelines, observation techniques, and document analysis frameworks correlated with local practices and the principles of Sharia law. Insights from diverse participants within the Iha community

enriched the study's contextual relevance. Scholars provided theoretical perspectives while transaction participants offered practical insights and local leaders contributed cultural and traditional knowledge. Collectively, these perspectives ensured a comprehensive understanding of the topic under investigation.

The instruments were further validated by the Research and Community Service Institute (LP2M) of IAIN Parepare, which specialized in Islamic legal and socio-cultural studies. LP2M's expertise ensured that the instruments were methodologically sound and appropriately tailored to the study's unique context. The evaluation confirmed that the study adhered to Sharia principles while remaining sensitive to local cultural and economic conditions. This validation process ensured consistency in applying theoretical frameworks such as *Istishab*, *maslahah*, and *gharar*. Furthermore, LP2M assessed the correlation of the instruments with the study's objectives to enhance the practical relevance. This institutional validation strengthened the study's methodological rigor and contextual accuracy.

Additional validation was provided by the Scholar Guild for Research and Discovery (SGRD), an independent organization renowned for its expertise. SGRD conducted a rigorous evaluation of the study design, data collection methods, and analytical frameworks to ensure academic integrity. The participation of the agency guaranteed that the study adhered to international academic standards while exploring the complex interplay between religion and culture. SGRD's feedback emphasized refining the study instruments to capture nuanced data and show significant correlations between *Istishab* and price stability. The independence of the agency perspective enhanced the study's credibility and objectivity. The combined use of triangulation and external validation stimulated the reliability of the study's findings.

The uniqueness of this study method lay in the multidimensional approach to examining the implementation of *Istishab*. By integrating legal, social, and economic dimensions, this method provided a holistic perspective on the application of Sharia principles in a specific local context. The study used a community-based methodology including in-depth interviews and direct observations to achieve a comprehensive and contextual understanding. The methodological approach contributed to the body of knowledge on the practical implementation of Islamic law in local settings, offering valuable insights into the integration of religious and cultural norms in economic transactions.

Results

Price Stability

The normative dimension focused on how the *Istishab* principle was used to maintain price stability within the framework of Sharia law and regulations (Sutisna et al., 2023). In the non-cash buying and selling of fish in the Iha community, prices that were not negotiated in advance were often accepted by all parties due to consistency with long-standing traditions (Deans et al., 2018). The principle of *Istishab* which upheld the status quo unless evidence warranted a change served as a critical tool for harmonizing religious and cultural norms. By maintaining existing prices without requiring renegotiation, *Istishab* showed the ability to ensure order and economic stability (Bordoloi, 2023; Jung, 2016; Strulovici, 2017; Xiong & Zhang, 2016). This indicated that established rules that were widely accepted by the community functioned effectively in upholding fair and stable pricing. Consequently, *Istishab* provided a strong legal foundation for maintaining price stability within a Sharia-compliant context.

Table 1 Social Interaction

No	Statement	Coding	Description
1	"Every time we purchase fish, we consistently pay an identical sum."	Long-Standing Price	Prices that have been widely accepted by society are regarded as valid based on the principle of <i>Istishab</i> , which upholds the current circumstances.
2	"We adhere to the current pricing structure."	Traditional Price	Traditional Prices are implemented to uphold the current traditional prices, thereby preventing any disputes as they are recognized and agreed upon by all parties.
3	"Each one of us adheres to established regulations."	Traditional Price	The adherence to price stability by all sides exemplifies the idea of <i>Istishab</i> , which upholds the existing state of affairs without necessitating further bargaining.

Source: Interview

Table 1 showed the application of the *Istishab* principle in ensuring price stability within the framework of Sharia law and regulations in Iha society. The first sentence showed that the prices widely acknowledged by the public were consistently upheld through the principle of *Istishab*. The term was also used in the 10th statement to uphold long-standing customary pricing, preventing potential disputes. The 14th statement outlined that price stability achieved through the implementation of *Istishab* guaranteed the absence of undesirable price fluctuations. *Istishab* further ensured that prices remained acceptable and legitimate without renegotiation, correlating with existing rules. Therefore, *Istishab* bridged Islamic legal principles and local traditions, creating a harmonious economic framework.

Social Setting to Avoid Disruption between Parties

The social dimension emphasized how social connections and relationships (Holt-Lunstad, 2018) within the Iha community facilitated the implementation of the *Istishab* principle in preserving stable prices for non-monetary fish trading. In this community, prices that were not prearranged were frequently upheld by strong social trust between sellers and purchasers. The *Istishab* principle facilitated the acceptance of the pricing arrangements without conflict, as the price originated from established social agreements (Almezeini, 2016). Strong social ties and trust among community members played a crucial role in preserving price stability (Opitz et al., 2019). This demonstrated that within a social context, *Istishab* acted as a powerful tool to uphold economic stability and mitigate uncertainty (Ebrahim & Sheikh, 2018). Through the application, the community effectively maintained stable and equitable prices, preserving social cohesion and avoiding disruptions. Table 2 further showed the application of the *Istishab* principle in the social domain.

Table 2 Social Interaction

No	Statement	Coding	Description
1	"Every day...many customers come. Some try to bargain, but most do not. If they do bargain, we give them a 'price based on feeling'..."	Feeling-Based Price	Feeling-based prices are accepted in non-cash transactions based on social agreements, where trust between parties plays a crucial role.
2	"I come to the market, I will pay a certain price, and sometimes it cannot be negotiated. The seller	Feeling-Based Price	Strong social relations enable the use of <i>Istishab</i> to maintain prices, where trust and

	will give us more fish if we stick to that price."		social relationships support transaction stability.
3	"Since long ago, this way of pricing has been common. They just trust each other between seller and buyer. They just assume they understand each other. There is no dispute."	No Dispute	High social trust allows <i>Istishab</i> to function as a meeting point, with prices accepted based on tradition without disputes.
4	"Every day...many customers come. Some try to bargain, but most do not. If they do bargain, we give them a 'price based on feeling'..."	Feeling-Based Price	Feeling-based prices are accepted in non-cash transactions based on social agreements, where trust between parties plays a crucial role.

Source: Interview

Table 2 presented the application of *Istishab* in a social setting, particularly in the regulation of non-monetary fish trading prices within the Iha community. The second statement attributed the acceptance of fixed pricing to societal consensus, rooted in trust, which formed a basis for implementing *Istishab*. The fourth point emphasized the importance of strong social connections in facilitating price setting without renegotiation. In this context, *Istishab* played a crucial role in ensuring transaction stability. Furthermore, the 19th statement demonstrated that a strong sense of social trust allowed the acceptance of fixed pricing without any disagreement. *Istishab* served as the mechanism that guaranteed the stability of these prices. Therefore, *Istishab* played a crucial role in preserving social cohesion in transactions by placing reliance on trust and pre-existing social connections. This underscored the efficacy of implementing the tenets of Islamic law in a societal framework to sustain economic stability and prevent discord.

Mitigation Economic Risk

The economic dimension examined how the *Istishab* principle contributed to economic sustainability by ensuring price stability in non-monetary fish transactions within the Iha community. Price stability was crucial for facilitating seamless transactions and preventing financial losses among participants (Putrevu & Mertzanis, 2024). In this context, *Istishab* played a critical role in preserving the stability of prices that were not pre-agreed, thereby mitigating economic risks originating from uncertainty. Prices established through traditional methods facilitated smooth transactions (Chen & Bellavitis, 2020; Lai

& Tang, 2016; Li et al., 2017), ensuring the long-term viability of the local economy (Pomeroy et al., 2020). Furthermore, *Istishab* guaranteed that these prices remained equitable and consistent, promoting overall economic stability.

Table 3 Social Interaction

No	Statement	Coding	Description
1	"At the market, fish prices are always stable. We know the price we expect, and it is always consistent."	Stable Price	Price stability reflects the application of <i>Istishab</i> , which maintains economic continuity without harmful fluctuations.
2	"I know how much I will pay before I even go to the market. The price of fish is always the same every day."	Fish prices are Always the Same.	<i>Istishab</i> ensures consistent pricing, providing certainty in transactions that support local economic stability.
3	"We always buy fish together, so we all know the fish prices among each other. Everything must be the same; everyone has one goal, it cannot be different."	Price Must Be the Same	The consistency of prices applied throughout the community supports the principle of <i>Istishab</i> , maintaining price uniformity and preventing economic uncertainty.

Source: Interview

Table 3 presented the application of *Istishab* in promoting economic stability and sustainability in non-cash fish trading within the Iha community. The fifth assertion referred to price stability which was achieved through the application of *Istishab* ensuring prices remain stable and do not experience any changes potentially disrupting the local economy. The ninth declaration further affirmed that *Istishab* contributed to the preservation of stable prices daily, a crucial factor in guaranteeing reliability in economic transactions. The 18th statement showed that the uniformity of prices across the community was achieved through the implementation of *Istishab*, a principle that mitigates uncertainty and promotes economic stability. *Istishab* not only contributed to the preservation of price stability but also promoted general economic stability, guaranteeing smooth economic transactions. This demonstrated that the principles of Islamic law could provide a strong basis for promoting economic sustainability within the specific local setting.

Discussion

Istishab as the Convergence Point Between Sharia and Culture

The results showed that the principle of *Istishab* significantly contributed to the preservation of price stability in the non-cash fish trade within the Iha community. *Istishab* in the framework of rules and regulations is applied to sustain prices that the community has widely recognized for an extended period without necessitating any renegotiation (Ahmed & Abozaid, 2022). These results emphasize that the current prices that are universally recognized are considered to be valid and stable according to the principle of *Istishab*. By supporting the status quo unless compelling evidence necessitates a change, *Istishab* demonstrates how local customs can correlate with Sharia principles (Yamamah, 2016). Therefore, *Istishab* acts as a bridge, integrating religious doctrine and cultural practices to ensure that pricing remains consistent and agreeable to all parties.

The principle of *Istishab* which preserves the current state of affairs serves as a potent mechanism within Islamic law to prevent *Gharar* in transactions (Alkhamees, 2017). In this context, prices not predetermined but accepted by community consensus exemplify *Istishab*'s function in ensuring that the prices remain lawful and consistent. This showcases Islamic law's capacity to honor and incorporate local customs while adhering to Sharia principles. Consequently, *Istishab* upholds equity in economic transactions, minimizes disputes, and fosters a sense of security among all participants.

The practice demonstrates that *Istishab* can serve as a convergence point between religion and culture, particularly in upholding economic stability in communities with strong traditions. It also preserves the economic interests of the community and upholds established traditions by preserving long-standing rates. In the context of Islamic law, upholding the ideals of fairness and clarity is crucial and *Istishab* ensures that local customs do not contradict sharia principles but are regarded as components of a broader legal structure working to protect the well-being of society.

The results correlated with the study conducted by (Jaja et al., 2020) (Udoh et al., 2020) and showing that local customs frequently impeded the implementation of religious standards. However, using the appropriate strategy such as *Istishab* enables a harmonious integration of tradition and religion. Previous studies show that applying Islamic law to local traditions effectively resolves disputes between religion and culture. *Istishab* with the capacity to uphold the existing state of affairs also evolves as a significant instrument in bridging the disputes as shown in (Ahmadi et al., 2019) outlining the harmonious collaboration between religion and culture in social customs.

The concept of *Mā Thabata Bi al-'Urf Fahuwa Kal-Thābit Bi al-Nass*—What is established by custom is as valid as what is established by textual evidence—is crucial in reconciling Sharia with local culture (Fuadi et al., 2024; Mulia et al., 2024). This principle recognizes that cultural norms when acknowledged and extensively performed have considerable legal significance in Islam, provided there is no conflict with Sharia (Karimullah, 2022). The idea also reconciles traditional behaviors with Islamic law in the non-monetary fish trade of the Iha community, facilitating a coexistence of cultural traditions and religious precepts. The implementation of this concept guarantees that activities such as deferred payment in transactions (Abdul Razak & Saupi, 2017), although not necessarily clearly articulated in religious texts remain legally permissible when widely adopted and culturally entrenched. This facilitates the integration of local norms into the legal framework while preserving the fundamental principles of Sharia (Hamzah & Kamiruddin, 2024; Karimullah, 2023). Islam promotes a legal framework that is flexible and inclusive by endorsing customary practices, thereby accommodating cultural diversity within the parameters of religious law. Consequently, this idea is crucial for preserving a harmonious relationship between local customs and Sharia law.

This conclusion suggests that *Istishab* has broader applications as a mechanism to uphold legal and economic stability in societies characterized by uncertainty. In the context of non-cash fish trading, *Istishab* ensures price stability and acceptance among all stakeholders, reducing the potential for conflict and promoting long-term economic sustainability. This underscores Islamic law's adaptability to meet society's practical needs, making the concept relevant and effective in specific local contexts. Therefore, *Istishab* preserves established customs and also ensures that transactions remain fair and stable within the framework of Islamic jurisprudence.

Istishab as Social Cohesion within a Community

The results of the study showed that the *Istishab* principle significantly contributed to preserving price stability within a social framework, particularly through strong social connections and relationships within the Iha community. Prices that are not prearranged are often accepted due to the strong social trust between sellers and purchasers. *Istishab* ensures the validity and acceptance of these prices as the community is grounded in well-established social agreements and is rarely subject to dispute. Building strong social connections and fostering a high level of trust among community members is critical for maintaining price stability. These results suggest that social trust effectively complements Sharia principles in facilitating harmonious economic transactions.

Istishab functions to sustain social equilibrium by guaranteeing that non-negotiated prices remain uniform and universally acknowledged by all parties. In this context, it serves the purpose of not only preserving prices but also fostering social trust and positive relationships among members of the community (Nadeem et al., 2020; Yahia et al., 2018). This is significant because social trust is the foundation of numerous commercial transactions in a society such as Iha community. By the preservation of current circumstances, *Istishab* plays a crucial role in upholding social equilibrium, preventing ambiguity, and guaranteeing the seamless occurrence of economic transactions devoid of any disputes.

The principles of *Istishab* can be regarded as a mechanism that not only ensures the stability of prices but also fosters social cohesion within a community. The reliance on established social trust effectively ensures price stability without necessitating renegotiation, mitigating the potential for tensions to arise. The principle also ensures the preservation of social values in economic transactions, while still maintaining adherence to the norms of sharia. Additionally, *Istishab* is crucial in fostering a harmonious coexistence of local customs and religious principles, enabling the community to collaborate in promoting stability and fairness in commercial dealings.

The results correlated with previous studies showing how religious moderation and strong social connections could effectively mitigate conflict in economic transactions. The examples of (Castle, 2019) showed that practicing religion with moderation could foster social cohesion in a diverse society, similar to the application of *Istishab* in the Iha community. (White, 2021) further emphasized the significance of social connections in upholding stability in transactions, pertinent to the role of *Istishab* in a social setting in ensuring stable and agreeable prices for all parties.

The study is further supported by the principle of *Istishāb al-Ḥāl fī al-Umūr al-Ijtīmā'iyah* (Preserving the current status in social concerns). This principle underscores the persistence of existing social norms and situations unless there is clear evidence of alteration. In the Iha community where communal harmony and ancient customs are central to daily existence, the principle fosters stability and togetherness among the members. It also implies that in the absence of a strong justification to modify the social order, the current connections and practices should be preserved. Customary norms such as trust-based transactions and mutual respect in the non-monetary fish trade are upheld under this principle when widely accepted within the community. By adhering to *Istishāb al-Ḥāl*, the community sustains social cohesion, ensuring that cultural and social values continue to guide interactions without disruption. This method cultivates a sense of

security and predictability, enabling the community to thrive while maintaining the traditional framework.

The results further suggest that *Istishab* can be used more extensively to promote social stability in different economic transaction settings, particularly in societies with well-established customs and practices. *Istishab* maintains price stability through social agreements, facilitating smooth and conflict-free transactions, enhancing social cohesion, and fostering trust among community members. This also implies that Islamic law can function as both a legal structure and a social mechanism promoting fairness and stability in economic transactions. Therefore, the adoption of *Istishab* can serve as a potent instrument in fostering social and economic cohesion within a community.

Istishab as an Instrument for Promoting Economic Sustainability

The study's results showed that the *Istishab* principle significantly contributed to preserving price stability and ensuring economic sustainability in non-cash fish trading within the Iha community. Price stability is a critical factor in facilitating seamless and profitable economic interactions for all parties. *Istishab* is used to maintain the stability of prices that have not been prearranged, thereby mitigating the economic risks associated with ambiguity. By keeping prices consistent, *Istishab* establishes a stable and sustainable economic environment, promoting the long-term viability of the local economy.

Istishab further plays a crucial role in upholding economic stability by ensuring that non-negotiated prices stay constant and foreseeable. Uncertainty in an economic environment can cause harmful price swings, making this issue significant (Hoque & Zaidi, 2018; Nowzohour & Stracca, 2020). *Istishab* also mitigates economic risks arising from unforeseen price fluctuations by preserving current price circumstances. This indicates the efficacy of Islamic law as a vehicle for effectively managing economic risk, preserving market stability, and ensuring fairness as well as stability in transactions for all parties concerned.

The principle can be also viewed as a potent instrument for promoting economic sustainability through the preservation of price stability in non-cash transactions. By maintaining regular and predictable prices, *Istishab* reduces the risks associated with economic unpredictability (Almezeini, 2016). This is particularly important in societies where economic stability underpins long-term viability. In this context, *Istishab* not only upholds fairness in transactions but also promotes overall economic stability, ensuring the well-being and smooth functioning of local markets.

This study correlates with previous articles outlining the significance of a consistent pricing system in effectively regulating *Gharar* (uncertainty) and promoting economic

sustainability. (Adillah Sofiya Ananda et al., 2023) asserted that using *Istishab* in pricing reduces ambiguity and enhances equity in economic interactions. Similarly, (Rizkan Polem et al., 2024) showed that *Istishab* could effectively establish prices equitably and correlated with Sharia principles, promoting market stability. (Rizkan Polem et al., 2024) further emphasized the collaborative nature of *Istishab* and *Istihsan* in maintaining price stability, hence contributing to long-term economic sustainability.

The concept of *Al-Aslu Baqā'un Mā Kāna 'Alā Mā Kāna* (The default is the continuity of what existed in its original state) further supports economic stability (Anjum, 2022; Massoud, 2018), especially in local communities where alterations may disturb established customs. The principle is essential for maintaining economic transactions as it assumes that prevailing conditions such as prices and contracts remain unchanged unless there is unequivocal evidence of alteration. In the context of Iha's non-monetary fish trading, this concept ensures the validity of established pricing systems and payment arrangements, creating a stable foundation for trade. It further establishes a reliable environment for fish merchants and purchasers, depending on the consistency of previous agreements. This continuity not only stabilizes the local economy but also diminishes uncertainty in economic dealings. By using this idea, the community can circumvent superfluous arguments or ambiguity, as economic practices are rooted in tradition. Consequently, *Al-Aslu Baqā'un Mā Kāna 'Alā Mā Kāna* serves as a crucial instrument for fostering economic sustainability, establishing a basis for enduring stability and growth.

These results suggest that *Istishab* has broader application in economic settings, particularly in promoting price stability and market sustainability. By reducing risks connected to economic uncertainty, maintaining market stability, and ensuring fairness in economic transactions, *Istishab* demonstrates the versatility of Islamic law as an effective tool for mitigating risks and promoting economic sustainability. Consequently, the application of *Istishab* within an economic framework can facilitate the creation of more secure and enduring marketplaces, eventually enhancing the long-term economic welfare of society.

Conclusion

In conclusion, the study showed that the *Istishab* principle had a substantial impact on maintaining price stability in non-cash fish trading within the Iha community. This influence was observed across three primary dimensions namely normative, social, and economic. From a normative perspective, *Istishab* preserved longstanding prices and prevented legal ambiguity by eliminating the need for renegotiation. In the social domain, *Istishab* promoted price stability by fostering strong social trust between suppliers and

purchasers, thereby mitigating potential disputes originating from pricing ambiguity. Economically, *Istishab* proved crucial for upholding sustainability by ensuring pricing consistency and stability, which facilitated seamless and low-risk transactions.

The primary advantage of applying *Istishab* was the ability to synchronize Islamic legal concepts with local customs, foster harmony between religion and culture, as well as sustain price stability without contradictions. This indicated the adaptability of Islamic law in addressing the pragmatic requirements of a community while respecting specific customs and practices. However, a significant drawback of *Istishab* was the reliance on the existing state of affairs which could fail to account for the evolving dynamics of the market. This limitation led to a lack of flexibility in situations where pricing adjustments were necessary to accurately reflect broader economic conditions.

To optimize the efficacy of *Istishab*, the study advised the Iha community to further strengthen social trust and interpersonal connections among members by providing a solid foundation for implementing the principle. Although *Istishab* proved effective in many scenarios, a more adaptable price adjustment method should be considered to address unforeseen economic shocks. Further studies could explore the integration of *Istishab* with other Islamic economic principles to establish a pricing system that was both adaptable and stable. This method would help ensure that Islamic law continued to support economic stability while remaining relevant to evolving market conditions.

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