



The Role Of Sharia Economic Law In Supporting A Healthy Economic System For Indonesian Communities

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Abstract: *The dynamics of the development of Sharia economic law in Indonesia have developed rapidly so that in the management of the economy, Sharia and conventional banking have emerged. The lower middle class and informal workers are very vulnerable to being trapped in conventional banks, causing pain in the Indonesian economy. So the purpose of this research is to describe the Role of Sharia Economic Law in Supporting a Healthy Economic System for Indonesian Society. The method used is literature study, then the data is collected using a qualitative approach, then the truth and validity are analyzed and the last is concluded descriptively. The results of the study show that the Role of Sharia Economic Law in Supporting a Healthy Economic System for Indonesian Communities includes making people aware of the importance of paying Zakat, supporting the Prohibition of usury, fostering expectations of economic cooperation, supporting the social security system, supporting the prohibition of business practices which is dirty, and supports the supervision of the sharia economy in the state order so that all of these roles are following the maqosidu sharia which has been established by Islamic teachings.*

Keywords: *Role, Sharia Economic Law, Healthy Economy, Indonesian Society*

Abstrak: Dinamika perkembangan hukum ekonomi syariah di Indonesia sudah berkembang pesat sehingga dalam pengelolaan ekonomi muncul perbankan syariah dan konvensional. Masyarakat menengah kebawah dan pekerja informal sangat rentan terjebak pada bank-bank konvensional sehingga menyebabkan sakit pada perekonomian Indonesia. Maka tujuan dari penelitian ini adalah untuk mendeskripsikan tentang Peran Hukum Ekonomi Syari'ah Dalam Mendukung Sistem Ekonomi Yang Sehat Bagi Masyarakat Indonesia. Metode yang digunakan adalah studi pustaka, lalu dikumpulkan datanya dengan pendekatan kualitatif, kemudian dianalisis kebenaran dan keabsahannya serta terakhir adalah disimpulkan secara deskriptif. Adapun hasil penelitian menunjukkan bahwa Peran Hukum Ekonomi Syari'ah Dalam Mendukung Sistem Ekonomi Yang Sehat Bagi Masyarakat Indonesia antara lain menyadarkan masyarakat akan pentingnya membayar Zakat, mendukung Pelarangan riba, menumbuhkan harapan kerjasama ekonomi, mendukung system jaminan sosial, mendukung pelarangan terhadap praktek-praktek usaha yang kotor, dan mendukung pengawasan ekonomi syariah dalam tatanan Negara sehingga semua peran tadi telah sesuai dengan maqosidu syariah yang telah ditetapkan oleh ajaran islam.

Kata Kunci: *Peran, Hukum Ekonomi Syariah, Ekonomi Sehat, Masyarakat Indonesia*

▪ Introduction

The dynamics of the development of Sharia economic law in Indonesia has

grown rapidly, this is evidenced by the emergence of contemporary problems ranging from taxes, and banking to customs

due to the influence of increasingly advanced times¹. In addition, in its development, banking in Indonesia is divided into 2 groups, namely conventional banking which often rubs off interest in its management, and Islamic banking which is a money system that is built economically but cannot be separated from the principles of Islamic economics. Some of the principles that must be adhered to in this science include Justice, Honesty, Wasathiyah, Al-Kifayah, Al-Mas'uliyah, Al-Ihsan, and akhlaqul karimah².

The principles above are certainly more inclined towards profit sharing and are different from conventional banks which are more inclined to take the maximum profit from customers. It is these aspects that disrupt the Indonesian economy where supply chain, demand, and supply are not balanced so that a crisis occurs that is felt equally across all layers or levels of society. The crisis initially only focused on the economy, but over time it changed to the political and social spheres. Experts also confirm that conventional bank interest does not need to be doubted about its harm, so it is often condemned as illegitimate³.

The group that is most vulnerable to the impacts because it relates to the above, which disrupts the fundamental welfare of society, is the lower middle-class

economic community, especially micro and informal daily income workers who need loan money. Usually, this is done because their income is still not stable so they are forced to borrow from banks, and the problem is they prefer conventional banks over Islamic banks because people think that interest costs on loans from conventional banks are cheap, even though in reality it will have an impact and disease on their health. the people's economy because in the real sector, it will then spread to the depressed financial sector so that they will experience difficulties in repaying their loans⁴.

The above causes the Indonesian economy to weaken and experience illness/illness so an idea emerges regarding the role of the Sharia economic law system as a suitable alternative so that it can save and nourish the life order of the Indonesian people. It should be noted that the majority of Indonesia's population are Muslims who adhere to their teachings. Meanwhile, from an Islamic point of view, 2 important things must be held so that the people's economy is healthy, namely, first, no one has the right to exploit other people, and second, there is no separation of socio-economic activities. From the background above, the author is interested in discussing the Role of Sharia Economic Law in Supporting a healthy economic system for the people of Indonesia.

The method used in this research is library research, which means processing and collecting data in books, journals,

¹ Adib Susilo, "Public Finance of Ibn Taimiyah and Tax Issues in the Contemporary Era," *IQTISHODLA | Journal of Islamic Economics* 2, no. 1 (2017): 2–3.

² Muhamad Kholid, "Principles of Sharia Economic Law in the Law on Sharia Banking," *Ay-Syari'ah* 20, no. 2 (2018): 150.

³ Mashuri, "Analysis of the Impact of Bank Interest (Riba) on the State's Economy," *IQTISHADUNA: Scientific Journal of Our Economy* 6, no. 1 (2017): 99.

⁴ Isnu Nurrochman and Mahfudz, "Analysis of the Factors Influencing Financing in Islamic Commercial Banks (Study of Islamic Commercial Banks 2012-2015)," *Diponegoro Journal Of Management* 5, no. 3 (2016): 5.

articles, the web, and others through a qualitative approach, which after processing and analyzing the results will be concluded descriptively so that the truth and validity can be assessed directly.⁵

▪ Discussion and Research Results

1. Sharia Economic Law

Sharia economics is a social science that studies people's economic problems inspired by Islamic values.⁶ Economics has an important impact, especially on the people of Indonesia, especially Muslims, if there is a Sharia transaction, of course, the economy will be healthy and maqasid al-shari'ah will be achieved. Meanwhile, maqasid al-shari'ah is the purpose of establishing shari'ah to achieve the benefit of the people. This can be used as an aid in understanding the redaction of the Qur'an and as-Sunnah, helping to resolve conflicting arguments and what is very important is to establish a law in a case where the legal provisions are not listed in the Qur'an. and as-Sunnah if using semantic/linguistic studies⁷.

So it can be said that Islamic economic law is the law that regulates human relations with fellow human beings in the form of agreements or contracts, relating to relationships, provisions, and human laws relating to economic objects or

objects and originating in the Qur'an, as sunnah and ijma' cleric.

The basis of Islamic teachings above views humanity as brothers and one family so that every human being is equal in the eyes of Allah and before the law that was revealed. The concept of brotherhood and equal treatment of all members of society before the law is meaningless if it is not accompanied by economic justice which allows everyone to obtain the right to contribute to society. That means maximizing the economic welfare of the community and not viewing and assuming that some people are better than others.⁸

Allah forbids harming the rights of other people, as explained in the Qur'an which means "do not harm people in their rights and do not run rampant on earth by causing damage." (QS As-syuaro: 183). Thus, Islam is committed to and emphasizes brotherhood, and economic and social justice so that any income and wealth owned by the population does not conflict with Islam. Even so, the Islamic conception of social justice does not mean that everyone should be paid the same regardless of their contribution to society. Islam tolerates income inequality to a certain degree because everyone is not the same in character, ability, and service in social life.

2. The purpose and benefits of the Islamic economic system

The purpose of the Sharia economic system has implications for maqasid al-shari'ah which means to achieve the

⁵ Wawan Hermanto, "Analysis of the Influence of Trust, Ease, and Quality of Information on Online Purchasing Decisions," *Ejournal of Yogyakarta Muhammadiyah University*, 2016, 8.

⁶ M. Abdul Mannan, *Islamic Economic Theory and Practice* (Yogyakarta: PT. Dana Bhakti Wakaf, 1997), 19

⁷ Arifin Hamid, *Grounding Sharia Economy in Indonesia* (Jakarta: Pramuda Jakarta, 2008), 73

⁸ Zainuddin Ali, *Sharia Economic Law* (Jakarta: Sinar Graphic, 2009), 13

benefit of the people in their lives. Because it is in line with the objectives of Islamic law itself, namely to achieve happiness in the world and the hereafter through a good and honorable life order or commonly known as *hayatan thayyibah*. So the goals and benefits to be achieved by Islamic Economics include both micro and macro aspects and include the trajectory of time in this world and the hereafter⁹.

Egyptian fuqaha named Muhammad Abu Zahrah said three objectives of Islamic law show that Islam was revealed as a mercy for all mankind, namely:¹⁰

- a. Purification of the soul so that every Muslim can be a source of goodness for society and the environment.
- b. The upholding of justice in society. The justice in question includes aspects of life in the field of law and muamalah.
- c. The achievement of *maslahah* (is the peak). Scholars agree that *maslahah* which is the peak of the target above includes five basic guarantees, namely: safety of religious beliefs (*al-din*), the safety of the soul (*al nafs*), the safety of the mind (*al aql*), the safety of family and offspring (*al nasl*) and safety property (*al-mal*).

The benefits of the Sharia economic system are enormous for people's lives, of course for the Muslims themselves, among others.¹¹

- a. Realizing the integrity of a sincere Muslim, Islam is no longer half-hearted. If it is found that there are Muslims who are still struggling and practicing conventional economics, it shows that their Islam is not yet complete.
- b. Implementing and practicing Islamic economics through Islamic financial institutions, whether in the form of banks, insurance, pawnshops, or BMT (Baitul Maal wat Tamwil) will benefit the world and the hereafter. Profits in this world are obtained through profit sharing, while profits in the hereafter are free from the elements of usury which are forbidden by Allah.
- c. Economic practices based on Islamic law contain the value of worship because they have practiced God's law.
- d. Practicing Islamic economics through Islamic financial institutions means supporting the progress of Muslim economic institutions.
- e. Practicing the Sharia economy by opening savings, and deposits or becoming a Sharia insurance customer means supporting efforts to empower the people's economy. Because the funds collected will be collected and channeled through the real trading sector.
- f. Practicing Islamic economics means supporting the *amar ma'ruf nahi munkar* movement. This is because funds collected at Islamic financial institutions may only be channeled to halal businesses and projects.

⁹ Mustafa Edwin Nasution, *Exclusive Knowledge of Islamic Economics* (Jakarta: Bumi Aksara, 2012), 16

¹⁰ Afzalur Rahman, *Islamic Economic Doctrine Volume I* (Yogyakarta: Wakaf Bhakti Fund, 1995), 84

¹¹ Nur Rianto et al, *Microeconomic Theory* (Jakarta: Kencana Prenada Media Group, 2010), 8

3. Islamic economic principles

The implementation of Islamic economics must carry out several principles including the following:¹²

- a. Various resources are seen as gifts or entrusted by Allah SWT to humans.
- b. Islam recognizes private property within certain limits.
- c. The main driving force of the Islamic economy is cooperation.
- d. Islamic economics rejects the accumulation of wealth controlled by a handful of people.
- e. Islamic economics guarantees community ownership and its use is planned for the benefit of many people.
- f. A Muslim must fear Allah swt and the day of judgment in the hereafter.
- g. Zakat must be paid on wealth that meets the limit (nisab).
- h. Islam prohibits usury in all forms.

Like a building, an Islamic economic system must have a useful foundation as the foundation and be able to support all forms of economic activity to achieve noble goals. And in another opinion, it also explained the principles of Islamic economic business, including:¹³

- a. Prohibition of usury (prohibition of usury)
- b. Avoidance of gharar or ambiguity in contractual agreements
- c. Prohibition of gambling or gambling (prohibition of meiosis)

- d. The practice of buying and selling or trade (application of al bay, trade, and commerce)
- e. Prohibition of trading in prohibited commodities (prohibition from conducting business involving prohibited commodities).

4. The Role of Sharia Economic Law in Supporting a Healthy Economic System for Indonesian Society

Islamic economics plays a role in implementing values and being an alternative for people's welfare because it is inspired by the Qur'an and Sunnah so that it can provide accurate solutions to every problem that exists in life both in the social, legal, and economic fields under the goals, benefits and Islamic principles. Some examples in the modern era, where Muslims are not only required to maintain religious beliefs and cultural entities but are also required to contribute to the development of human civilization such as customs, taxes, and the emergence of various other inventions that will shift perspectives and shape patterns and new norms in people's lives due to advances in science and technology¹⁴.

Besides that, it is also known today, namely BAZIS (Amil Zakat, Infaq, and Sadaqah Agency), which is tasked with collecting data and distributing zakat for those who are entitled. It is also a sunnah from the Prophet to his people to overcome the storm of poverty and make it mandatory for those who can afford it to pay it.¹⁵ BAZIS itself is a form of development of Islamic law

¹² Hendri Sudarsono, MB, *Introduction to Islamic Microeconomics* (Yogyakarta: Ekonosia, 2002), 105

¹³ Ahmad Mujahidin, *Sharia Economic Dispute Resolution Procedures in Indonesia* (Bogor: Ghalia Indonesia, 2010), 40

¹⁴ Zaeni Asyhadie, *Business Law* (Jakarta: Raja Grafindo Persada, 2011), 5

¹⁵ Muhammad Saddam, *Islamic Economics* (Jakarta: Taramedia, 2003), 16

that seeks to advance the economy and benefit the people to create "human essential happiness in the world" or the success and success of human life.¹⁶ Because the Islamic economic system in BAZIS as the only example is independent, different, and comprehensive it cannot be the same as other economic systems.

So the Sharia economic system that is based on Islamic teachings has taught excellent morals and methodologies because it can lift people's economic downturn and can build a better economic system accompanied by guidelines, the legitimacy of ways to the legitimacy of goals that have ethics so that they are meaningful in the overall order social.

In the social order of Islamic society, has maqasid al-shari'ah guidelines which must be applied in the economic field. One of the most important guidelines as discussed at the beginning of the sentence is the prohibition of usury or interest and the prohibition of consuming other people's assets without rights. Allah says in his book QS Albaqoroh verse 275 and Annisa' verse 29 which reads:

... وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا ...

"And Allah has justified buying and selling and forbidding usury."

يَأْتِيهَا الَّذِينَ ءَامَنُوا لَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبَاطِلِ إِلَّا أَنْ تَكُونَ تِجَارَةً عَنْ تَرَاضٍ مِّنْكُمْ وَلَا تَقْتُلُوا أَنْفُسَكُمْ إِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا

¹⁶ M. Daud Ali, *Zakat and Waqf Islamic Economic System* (Jakarta: UI Press, 1998), 17

"O you who believe, do not eat each other's wealth in a vanity way, except by way of trade that applies with your likes and likes."

In addition, the hadith also mentions other important guidelines that must be considered, namely honesty and trust. Prophet Muhammad shallahu 'alaihi wa sallam said:

عَنْ أَبِي سَعِيدٍ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: التَّاجِرُ الصَّدُوقُ الْأَمِينُ مَعَ النَّبِيِّينَ وَلِصِدِّيقِينَ وَالشُّهَدَاءِ - رواه الترمذی

"From Abi Sa'id, from the prophet, Muhammad shallahu 'alaihi wa sallam said: "Traders who are honest and trustworthy with the Prophets, people who are honest and martyrs". (HR Tirmidhi)

The two things above, namely the Koran and hadith, are the main guideline in Sharia economic law, after that, it is followed by another legal basis, namely the ijma' of the clergy which is related to the situation and conditions of society at that time. Then proceed with the next basis, namely ijtihad which can be right or wrong in a decision, while the last is qiyas, namely equating one thing to another because of the similarity of illat.¹⁷ The basics of Islamic teachings become Sharia economic guidelines to achieve happiness in the world and the hereafter so that the balance of benefits can have an impact on the life of the wider community, especially Muslims.

The Indonesian people, whose majority are Muslim, have not been able to fully support this because there are still many who prefer money management and the

¹⁷ Hurriah Ali Hasan, "Sources of Law in the Islamic Economic System," *JURNAL PILAR: Journal of Contemporary Islamic Studies* 12, no. 2 (2021): 72.

economy in conventional banking. However, in the current era where technological advances are advancing so rapidly, Islamic banking has an opportunity and is a hope for the people. This happened due to several factors such as First, the majority of the population is Muslim so it becomes a market nation with such potential, and becomes a challenge for Sharia banking people to reach non-Muslim residents. Second, there is an unlawful fatwa on bank interest so that it becomes legitimate for Islamic banking to actively socialize its work. And the hope is that the people will quickly realize that they are not necessarily trapped by emotional religious sentiments. Third, stretching religious awareness from executives to celebrities. Fourth, the growing development of the Islamic economy, starting from Sharia insurance (takaful), Sharia pawnshops, Sharia MLM (ahad net), Sharia cooperatives, capital markets, and Sharia bonds to the Sharia hotel business. Fifth, the development of Islamic institutions such as Islamic schools to the presence of post-reform Islamic parties¹⁸.

The above factors support the running of the Sharia economic legal system in Indonesia so that it can run easily and develop rapidly. The emergence of various Islamic banks is a form of support that is so valuable for the people of Indonesia. It doesn't end there, the activities of MSMEs (Micro, Small, and Medium Enterprises) cannot be separated because they are

found in various areas such as Surabaya, Malang, Gresik, Semarang, Surakarta, Yogyakarta, Bekasi, Bandung, Jakarta, and Medan. these cities often have large-scale events which are support UMKM (Micro, Small, and Medium Enterprises) so that they contribute to advancing the economy in Indonesia and the civilization of the people such as Muslim fashion, the halal food industry, sharia cooperatives to religious tourism.¹⁹. These major events have implications for the benefit of the Indonesian people and have strategic instrumental roles and values in supporting the economic system and their behavior, including:

First; Play a role in making people aware of the importance of paying Zakat. Because zakat itself is one of the pillars of Islam that must be paid for anyone whose wealth has reached a certain nisob and size. Zakat is a very important source of state revenue, plus there are some that must be given to those who are entitled, namely taxes, al-fay, and ghanimah²⁰. *Second*; Playing a role in supporting the prohibition of usury where it is more inclined to the concept of mutually beneficial profit sharing without taking the slightest rights of others. *Third*; Play a role in growing

¹⁸ Indra Syafii and Isnaini Harahap, "Opportunities for Islamic Banking in Indonesia," *National Seminar on Computer Technology & Science (SAINTEKS)*, 2020, 668.

¹⁹ Heni Novianti and Hanif Ade Eko Setiawan, "Optimizing the Role of Islamic Banking in Developing the Halal Product Industry: Studies on the Muslim Fashion Industry in Lampung Province," *SYARIKAH JOURNAL: JOURNAL OF ISLAMIC ECONOMICS* 8, no. 2 (2022): 201.

²⁰ Muhammad Zumar Aminuddin, "Contribution of Zakat, Infaq, Sadaqah, and Waqf to Civil Society (a Case Study at the Solopeduli Surakarta Foundation)," *Ijtihad: Journal of Islamic and Human Law Discourse* 13, no. 2 (2013): 202.

hopes of economic cooperation according to Islamic teachings. Cooperation can be tangible in the production, and distribution of both goods and services. These forms of cooperation include muzara'ah and musaqah in agriculture, mudharabah, and musyarakah in trade so that they have an impact on productive work, increasing welfare, preventing economic oppression, and protecting the interests of economically weak groups.

Fourth, play a role in supporting the social security system. This is evidenced by the existence of a housing mortgage system at Islamic banks that guarantees and helps finance customers who want to have a home for their families, so indirectly the Islamic economy also guarantees socially the people of Indonesia²¹. *Fifth*, play a role in supporting the prohibition of dirty business practices such as hoarding, takhfif (cheating in the scales), dishonesty, disrespect for achievements, protectionism, monopoly, speculation, coercion, and others. This is prohibited because if it is tolerated it can damage and disrupt the natural market. *Sixth*, playing a role in supporting Sharia economic supervision in the state order starting from legal aspects, planning, supervision, allocation of funds, distribution of resources, and equal distribution of income or wealth to economic growth and stability.

The above provides a detailed picture of how Sharia economic law has a very large role in supporting a healthy economy

²¹ Mohamad Heykal, "Analysis of the Level of Understanding of Sharia Kpr in Islamic Banks in Indonesia," *Preliminary Study*, *BINUS BUSINESS REVIEW* 5, no. 2 (2014): 520.

for Indonesian people because it includes *maqasid al-shari'ah* namely protecting religion (*hifdzu ad-din*), protecting the soul (*hifdzu al-nafs*), guarding wealth (*hifdzu al-mal*), protecting offspring (*hifdzu an-nasl*), and guarding the mind (*hifdzu al-aql*).

■ Closing

From the discussion above, it can be concluded that the Role of Sharia Economic Law in Supporting a Healthy Economic System for Indonesian People, among other things, makes people aware of the importance of paying Zakat, supports the prohibition of usury, fosters hope for economic cooperation, supports the social security system, supports the prohibition of practices dirty business, and support sharia economic supervision in the state order so that it can be following sharia maqosidu that has been determined by Islamic teachings.

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