

## Optimizing Maqasid Syari'ah in Sharia Banking Law: A Philosophical Perspective on Islamic Economics

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Submitted:  
November 28, 2024

Accepted:  
December 15, 2024

Published:  
December 20, 2024

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**Abstract:** This research looks at Sharia banking rules from the point of view of Sharia economic philosophy. It focuses on the ideas of *maqā'id syarī'ah*, which are the main goals or principles of Islamic law that are meant to improve people's lives and make things fair. The study employs a mixed-method approach, integrating normative legal analysis with the *maqā'id syarī'ah* framework as defined by classical and modern Islamic thinkers. A lot of primary and secondary sources were looked at to get the information. These included fiqh books, academic journals, and scholarly articles about the rules of *maqā'id syarī'ah* and how the law works. The findings indicate that the implementation of *maqā'id syarī'ah* in legal evolution transcends mere compliance with religious duties. It encompasses safeguarding five essential aims (*dharuriyyat*): religion, life, intellect, lineage, and property. The research illustrates that laws derived from *maqā'id syarī'ah* not only guarantee lasting justice but also display adaptability to societal changes while maintaining the fundamental principles of Islamic law. This research adopts an interdisciplinary approach that connects ancient Islamic jurisprudence with modern legal concerns, especially within the Sharia banking sector. The paper gives a new perspective on how Islamic legal principles can help make Sharia banking rules that are flexible and can be used by everyone by basing its research on *maqā'id syarī'ah*. What this shows is that *maqā'id syarī'ah* can improve modern legal systems by combining Islamic values with basic human rights to create a more dynamic and fair financial system.

**Keywords:** Maqasid Al-Syari'ah, Islamic Economic, Sharia Banking

**Abstrak:** Penelitian ini melihat aturan-aturan perbankan Syariah dari sudut pandang filosofi ekonomi Syariah. Penelitian ini berfokus pada gagasan *maqā'id syarī'ah*, yang merupakan tujuan utama atau prinsip-prinsip hukum Islam yang dimaksudkan untuk meningkatkan kehidupan masyarakat dan membuat segala sesuatunya menjadi adil. Penelitian ini menggunakan pendekatan metode campuran, yang mengintegrasikan analisis hukum normatif dengan kerangka kerja *maqā'id syarī'ah* sebagaimana didefinisikan oleh para pemikir Islam klasik dan modern. Banyak sumber primer dan sekunder yang ditelaah untuk mendapatkan informasi. Sumber-sumber tersebut meliputi buku-buku fikih, jurnal akademik, dan artikel-artikel ilmiah tentang aturan-aturan *maqā'id syarī'ah* dan bagaimana hukum bekerja.

*Temuan-temuan tersebut menunjukkan bahwa implementasi maqāṣid syarī'ah dalam evolusi hukum lebih dari sekadar kepatuhan terhadap kewajiban agama. Maqāṣid syarī'ah mencakup perlindungan terhadap lima tujuan esensial (dharuriyyat): agama, jiwa, akal, keturunan, dan harta benda. Penelitian ini menggambarkan bahwa hukum yang berasal dari maqāṣid syarī'ah tidak hanya menjamin keadilan yang langgeng, tetapi juga menunjukkan kemampuan beradaptasi terhadap perubahan masyarakat dengan tetap mempertahankan prinsip-prinsip dasar hukum Islam. Penelitian ini mengadopsi pendekatan interdisipliner yang menghubungkan yurisprudensi Islam kuno dengan masalah hukum modern, terutama dalam sektor perbankan Syariah. Makalah ini memberikan perspektif baru tentang bagaimana prinsip-prinsip hukum Islam dapat membantu membuat aturan perbankan Syariah yang fleksibel dan dapat digunakan oleh semua orang dengan mendasarkan penelitiannya pada maqāṣid syarī'ah. Hal ini menunjukkan bahwa maqāṣid syarī'ah dapat meningkatkan sistem hukum modern dengan menggabungkan nilai-nilai Islam dengan hak-hak dasar manusia untuk menciptakan sistem keuangan yang lebih dinamis dan adil.*

**Kata Kunci:** *Maqasid Al-Syari'ah, Ekonomi Islam, Bank Syariah*

## **Introduction**

The study of laws in the context of sharia economic law cannot be separated from the underlying philosophical basis, namely Maqāṣid Syarī'ah thinking. Maqāṣid Syarī'ah refers to the fundamental objectives of Islamic law which focus on safeguarding five main things: religion (*dīn*), soul (*nafs*), reason (*'aql*), offspring (*nasl*), and property (*māl*). In this case, Islamic law is not only focused on enforcing formal rules, but also on how this law can protect and promote aspects of human life as a whole. In the context of sharia economics, maqāṣid sharia thinking becomes very relevant because the main goal of the sharia economic system is to achieve justice, prosperity and equal distribution. The philosophy of sharia economic law emphasizes the importance of justice and balance in economic transactions, as well as the avoidance of detrimental practices such as usury, gharar (uncertainty), and maysir (speculation) (Djazuli, 2006).

The study of laws in the maqāṣid shari'ah thinking aims to ensure that the rules set by sharia law (such as in sharia banking, business contracts, and investments) are truly in line with the objectives of protecting and welfare of humanity. This approach provides flexibility in the interpretation of Islamic law so that it can be applied in various modern contexts, including in the current global economic system. In addition, with the development of sharia economic laws in various countries, including Indonesia, there is a need to review whether the regulations made are in accordance with the basic principles of sharia and whether the laws are truly able to realize the desired welfare within the framework of maqāṣid shari'ah. This includes a study of financial policies, sharia banking products, and capital market instruments that must be in line with Islamic principles, which do not only focus on profit alone, but also on

social benefits and welfare. In the philosophy of sharia economic law, *maqāṣid syarī'ah* provides a very important moral and ethical perspective, especially in forming regulations that can maintain a balance between individual and community interests (Djazuli, 2006).

The implementation of *Maqāṣid Syarī'ah* in the study of Islamic banking legislation is an important topic in the context of the development of Islamic economic law. *Maqāṣid Syarī'ah*, which refers to the goals and intentions of Islamic law, includes protection of five main aspects, namely religion, soul, mind, descendants, and property. In the context of Islamic banking, the application of these principles not only serves to ensure compliance with Islamic law, but also to ensure that the financial practices carried out are able to provide benefits to society and create social justice.

The philosophy of Islamic economics underlies the importance of the implementation of *Maqāṣid Syarī'ah*, where economic goals are not solely focused on achieving financial profit, but also on the welfare of society as a whole. In this case, Islamic banking regulations need to be formulated by considering aspects of sustainability and justice, and avoiding practices that can harm certain parties. Thus, Islamic banking legislation must be able to integrate the values of *maqāṣid* in every aspect of its operations, from products and services to supervisory and law enforcement mechanisms, so that it can produce a financial system that is not only in accordance with sharia principles, but also able to contribute positively to inclusive and sustainable economic growth. Therefore, this study aims to analyze the extent to which the principles of *maqāṣid shari'ah* are accommodated in the legal framework of Islamic banking, as well as its implications for the implementation of fair and responsible economic policies.

The research issue related to the Implementation of *Maqāṣid Syarī'ah* in Islamic Banking Regulation: An Islamic Economic Philosophy Approach focuses on how the principles of *maqāṣid syarī'ah* can be optimally implemented in Islamic banking regulations. In *maqāṣid syarī'ah* which includes the protection of religion, soul, mind, descendants, and property, it not only functions as a normative value but also becomes the basis for regulatory policies and ensures the alignment between sharia principles and the complexity of the modern banking system, including risk management, profitability, and global competition. The Islamic economic philosophy approach provides a conceptual basis for criticizing whether existing regulations truly reflect the objectives of *maqāṣid syarī'ah* or only emphasize formal compliance with sharia law. In addition, this study is important to identify potential gaps between the idealism of *maqāṣid syarī'ah* and the reality of its implementation, especially in terms of community welfare, economic justice, and the stability of the Islamic financial system. This approach also opens up space to explore a more inclusive and value-based regulatory model, so that Islamic banking is not only a financial alternative, but also an instrument of social transformation. In previous research in the form of a scientific journal written by Aminah from UIN North Sumatra, Department of Islamic Economics with the title "*Maqāṣid Asy-Syarī'ah* Understanding and Application in Islamic

Economics" discussed the understanding of Maqāṣid asy-Syarī'ah as the main goals that Islamic law wants to achieve in order to realize the welfare of humanity.

In general, maqāṣid asy-syarī'ah includes protection of five main aspects of life, namely religion (*ḥifẓ ad-dīn*), soul (*ḥifẓ an-nafs*), reason (*ḥifẓ al-'aql*), descendants (*ḥifẓ an-nasl*), and property (*ḥifẓ al-māl*) (Iqbal et al., 2023). In Islamic economics, *maqāṣid asy-syarī'ah* acts as a foundation in regulating economic activities so that they are not only oriented towards material gain, but also consider aspects of justice, social welfare, and sustainability. Its application covers various fields such as the development of sharia financial products, management of zakat, waqf, and infaq, to business practices that are in accordance with Islamic principles (Aminah, 2017). The similarity in this study is that the researchers also discuss maqāṣid syarī'ah, then the difference in this study is that the current study more specifically examines the Application of *Maqāṣid Syarī'ah* in Islamic Banking Regulation: An Islamic Economic Philosophy Approach.

The application of *maqāṣid syarī'ah* in Islamic banking regulation through an Islamic economic philosophy approach has significant implications for practices and policies in this sector. By prioritizing the principles of justice, sustainability, and social welfare, this study can encourage policy makers and Islamic banking institutions to formulate regulations that are not only profit-oriented, but also ensure a balance between individual and community interests. The implementation of *maqāṣid syarī'ah* can guide Islamic banks in offering financial products that are in accordance with Islamic values, such as reducing dependence on exploitative contracts and encouraging partnership-based financing. Furthermore, the Islamic economic philosophy approach helps strengthen the ethical foundation in decision-making, ensuring that Islamic banking policies support financial inclusion, poverty alleviation, and a more equitable distribution of wealth. Thus, this research is important to be studied further because the results of this study can contribute to the development of a more relevant, responsive, and holistic regulatory framework in the Islamic banking industry.

## Method

The research method that the researcher used in compiling this article is qualitative research. (Ahmadi, 2019). A research method that aims to understand the phenomena, perceptions, motivations and social context of the research subjects. This method focuses on in-depth observations, so it can produce a more comprehensive study. A qualitative approach, especially through normative legal analysis and literature review, is a relevant method in discussing the application of *Maqāṣid Syarī'ah* to sharia banking regulations. Normative legal analysis focuses on examining the principles, norms and rules contained in positive law and sources of Islamic law, such as the Koran and Hadith, as well as the ijihad of ulama. This approach allows evaluation of the extent to which sharia banking regulations are in line with the main objectives of *Maqāṣid Syarī'ah*. Meanwhile, literature review involves in-depth exploration of relevant literature, whether in the form of classical books, scientific research, or regulatory documents. This approach not only explores the Islamic economic philosophy that underlies *Maqāṣid Syarī'ah*, but also examines its practice

and application in the modern context, especially in the sharia banking sector. With the combination of both, research can provide a solid conceptual foundation and offer practical solutions to strengthen regulations to be more effective in supporting justice and economic welfare in accordance with sharia principles.

## Results and Discussion

### Implications of the Implementation of *Maqāṣid Syarī'ah* on the Law

The application of *maqāṣid shari'ah* to laws has significant implications in ensuring that the laws implemented are in line with the main objective of the Shari'ah, which is to maintain human welfare in various aspects of life. *Maqāṣid shari'ah* includes five basic objectives, namely, the protection of religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-nafs*), reason (*ḥifẓ al-'aql*), descendants (*ḥifẓ al-nasl*), and property (*ḥifẓ al-māl*). In terms of laws, the application of these principles means that laws must protect the basic interests of society, promote social justice, avoid injustice, and ensure the creation of general welfare. For example, laws related to economics must protect individual rights and prevent exploitation, while laws related to the family must ensure the protection of moral and social values. Thus, the application of *maqāṣid syarī'ah* in law encourages the formulation of policies that are not only formally legal, but also ethical and humane in accordance with Sharia principles (Wahyudi M. N., 2018).

A fairer and more balanced law is a regulation designed with the principles of justice and balance as its foundation. In terms of justice, this law ensures that every individual, regardless of social, economic, or cultural background, receives equal treatment before the law, avoiding all forms of discrimination. This aims to ensure that all levels of society feel equal protection and opportunity in community life. Meanwhile, balance is an important element in regulating the relationship between individual interests and public interests. This law seeks to safeguard individual rights from being eroded by collective interests, but at the same time, encourages awareness that every right obtained must be accompanied by an obligation to maintain order and common interests. This justice and balance will create a responsive and inclusive legal framework, able to accommodate the needs of society as a whole (Wahyudi, 2007).

To implement *Maqāṣid Syarī'ah* in law, there are several crucial aspects that need to be considered. First, legislators must have a deep understanding of *Maqāṣid Syarī'ah*, which includes the objectives of sharia in protecting religion, soul, mind, offspring and property. This in-depth understanding will ensure that the resulting policies are not only legally valid, but also in line with sharia principles. Furthermore, dialogue and consensus are important steps in this process. Through intensive deliberation, various parties can reach agreement regarding the interpretation and application of *Maqāṣid Syarī'ah*, resulting in more inclusive and representative legislation. In addition, every law drafted must go through a comprehensive study that considers various aspects, including social, cultural and economic, to ensure a broad positive impact on society. Finally, periodic evaluation of the effectiveness of the implementation of *Maqāṣid Syarī'ah* in the law needs to be carried out so that necessary adjustments can be made,

ensuring that the law remains relevant and responsive to changing community needs. By taking these aspects into account, the implementation of *Maqāṣid Syarī'ah* in the law can run well and sustainably (Musolli, 2018).

The application of *Maqāṣid Sharī'ah* in law offers significant potential for creating a legal system that is more just, dignified and just. *Maqāṣid Syarī'ah*, which aims to achieve the welfare of the people through the protection of the five important elements of religion, soul, reason, heredity and property can be a guide in forming laws that are more responsive to the needs of society (Febriadi, 2017). However, to realize this potential, serious and comprehensive efforts are needed from various parties, including the government, academics, and legal practitioners. Cooperation between all stakeholders is essential to ensure that the resulting law is not only based on text, but also pays attention to broader moral and social goals. Thus, the application of *Maqāṣid Syarī'ah* is not only a normative aspect of law, but also an instrument for building a better, more just, and dignified society.

### Study of the Philosophy of Sharia Economic Law on Legislation in *Maqāṣid Syarī'ah*

Filsafat hukum ekonomi syariah didasarkan pada prinsip-prinsip syariah Islam yang taken from the Qur'an, Sunnah, and other legal sources. One of the most important frameworks in understanding Islamic economic law is *Maqāṣid Syarī'ah*, the basic objectives of Islamic law that focus on the maintenance and welfare of the people. The study of the Philosophy of Islamic Economic Law on legislation relating to economic principles derived from Islamic law is applied in positive law applicable in a country (Waqqosh et al., 2022). In general, the philosophy of Islamic economic law refers to basic values in Islam such as justice, balance, transparency, and the prohibition of usury, gharar (uncertainty), and maysir (speculation) (Ahmad Faris, 2019). The philosophy of Islamic economic law is based on principles rooted in Islamic teachings, especially the Qur'an, Hadith, and the consensus of scholars. The philosophy includes: (Musolli, 2018)

1. *Tawhid* (The Oneness of God)  
All economic activities must be in accordance with God's commands and must not violate His laws.
2. Justice ('*Adl*)  
Islam emphasizes the importance of fair distribution of wealth and resources to prevent social inequality.
3. *Maslahah* (General Benefit)  
Every economic policy must aim to achieve the common good and welfare of society.
4. *Hifz Al-Mal* (Property Protection)  
Islam regulates the protection of ownership rights and wealth, in a manner that is lawful and free from elements of fraud or uncertainty.

In the context of the philosophy of law, it is explained that every regulation made must be based on these values in order to be in line with sharia law. The

principles of sharia economics applied in positive law aim to create a fair and ethical economic system, based on Islamic teachings. One of the main principles is the prohibition of usury, namely the taking of interest on loans, which is considered exploitative. (Cinta Rahmi, 2024). In Islamic banking law, this is implemented by prohibiting banks from providing interest-bearing loans and encouraging the use of alternative financing mechanisms such as profit sharing. Another principle is the prohibition of gharar (uncertainty) and maysir (speculation), which aims to prevent unclear or gambling-based transactions, such as in non-transparent derivative trading. (Mufid, 2021). Positive law that adopts this principle regulates that all transactions are open and free from risks unknown to both parties. In addition, justice in muamalah (economic interaction) is an important foundation, which means that every agreement or contract must be fair and not oppress one party. (Aminah, 2017). This principle also demands transparency and equality, so that the parties involved in the transaction receive balanced rights and obligations. Positive law based on sharia emphasizes the importance of social and economic harmony through the application of these principles. (Wahyudi, 2007).

Regarding modern countries, the implementation of Islamic economic law is often integrated with the positive legal system. In Indonesia, for example, Islamic economic law is regulated in various regulations such as:

1. Law Number 21 of 2008 concerning Sharia Banking.
2. Fatwa of the National Sharia Council (DSN) issued by the Indonesian Ulema Council (MUI).
3. Regulation of the Financial Services Authority (POJK) which regulates the sharia-based financial industry.

Although the main source of law is sharia, these regulations are still adjusted to local needs and national legislation to achieve legal harmony and welfare (Habibullah et al., 2024). The principles of justice, security, and welfare carried by Maqāṣid Syarī'ah are very important in compiling regulations that avoid exploitation in economic transactions. The philosophy of sharia economic law in the perspective of Maqāṣid Syarī'ah focuses on achieving the main objectives of sharia in the economic context, which include justice, freedom, and social responsibility. Economic justice is a central principle, where every transaction must be carried out fairly, transparently, and without harming either party. This is in accordance with the objectives of Maqāṣid Syarī'ah to protect individual rights and prevent injustice in economic activities. (Al-Qaradhawi, 2017). On the other hand, economic freedom is also recognized, but within the corridors set by the Shari'a. This freedom is not unlimited, but is regulated to ensure that economic activities do not violate the moral and social principles set by Islamic law. In addition, social responsibility is an important foundation in the philosophy of Shari'a economics, which emphasizes that individuals and economic entities do not only focus on personal gain, but also play a role in maintaining the welfare of society as a whole. This principle reflects the purpose of the Maqāṣid

Shari'ah to protect and advance collective welfare, including through zakat, sadaqah, and economic activities that support social equality (Mufid, 2021).

### Examples of Laws in *Maqāṣid Syarī'ah* Thought on Sharia Economic Philosophy

*Maqāṣid Syarī'ah* is an important concept in Islam which refers to the main objectives behind the establishment of Islamic law. This concept focuses on achieving the welfare and benefit of the people through five main goals known as *ḍarūriyyāt* or primary needs (Muhammad Nafik Hadi Ryandono, 2018). First, safeguarding religion (*ḥifẓ ad-dīn*), which aims to protect the religious beliefs and practices of the people so that they can continue to carry out religious commands correctly. Second, safeguarding the soul (*ḥifẓ an-nafs*), which means ensuring the safety and survival of humans through provisions that prohibit murder and violence. Third, safeguarding reason (*ḥifẓ al-'aql*), which aims to encourage education and avoid anything that damages reason, such as consuming alcohol or narcotics. Fourth, safeguarding descendants (*ḥifẓ an-nasl*), which means protecting the continuity of generations through establishing rules regarding marriage and family. Finally, safeguarding property (*ḥifẓ al-māl*), which aims to regulate the maintenance and distribution of property fairly and prohibit theft and corruption. By upholding the *maqāṣid shari'ah*, Islamic law is expected to bring balance and benefit to the lives of individuals and society (Azhar, 2010).

In the philosophy of Islamic economics, it is based on the principle of *Maqāṣid Syarī'ah*, namely the noble goals desired in Islamic law to achieve human goodness and welfare. In terms of economics, *Maqāṣid Syarī'ah* provides guidance so that economic policies and systems that are developed do not only pursue material gain, but also pay attention to aspects of social welfare and justice. The main objective of implementing *Maqāṣid Syarī'ah* in economics is to create a system that is fair, balanced, and can bring prosperity to all mankind. This includes protection of religion, soul, mind, descendants, and property. For example, these principles direct Islamic economic policies to avoid the practice of usury, encourage equitable distribution of wealth through zakat and waqf, and emphasize the importance of social responsibility in economic activities. Thus, Islamic economic philosophy not only provides an alternative to the conventional economic system, but also seeks to build a more just and humane economic order in accordance with humanitarian and Islamic values.

Law Number 23 of 2011 concerning Zakat Management affirms the state's commitment to optimally manage zakat for the welfare of society, in line with the principles of sharia economics and *Maqāṣid Syarī'ah*. In the philosophy of sharia economics, zakat is an important instrument that not only fulfills religious obligations, but is also a real manifestation of an economic system that aims to achieve social justice. Sharia economics views zakat as a tool for redistributing wealth that functions to reduce the gap between rich and poor. Thus, zakat is not merely an individual worship, but also a means of equalizing welfare in society. From the perspective of *Maqāṣid Syarī'ah*, which aims to achieve public welfare (*maslahah*), professional and structured management of zakat also has an important role. *Maqāṣid Syarī'ah* includes

five main objectives, namely protection of religion, soul, mind, descendants, and property. Good zakat management helps achieve these goals, especially in protecting property and the welfare of souls, as well as supporting the basic needs of vulnerable communities. In addition, zakat also contributes to social stability, because it can reduce crime which is often triggered by poverty (Nafis, 2011). Law Number 23 of 2011 embodies the commitment by regulating the management of zakat to be transparent, accountable, and directed, so that zakat truly has an impact on improving the welfare of the people and becomes a pillar of social justice within the framework of Maqāṣid Syarī'ah and sharia economics.

Then, Law Number 21 of 2008 concerning Sharia Banking in Indonesia aims to provide a legal basis for banking operations based on sharia principles. From the perspective of sharia economic philosophy, Law Number 21 of 2008 concerning Sharia Banking reflects the implementation of fair, transparent, and responsible economic values in accordance with Islamic principles (Hamzan, 2019). The philosophy of Islamic economics itself emphasizes the prohibition of usury (interest), encouraging productive activities, and creating an even distribution of welfare through mechanisms such as zakat, alms, and fair profit-sharing. (Azizah Rahmawati, 2022). With the enactment of Law Number 21 of 2008 concerning Islamic Banking, Islamic banking can operate within the legal corridor that supports these principles, thus providing an alternative financial system that is more in line with Islamic values for society. In relation to Maqāṣid Syarī'ah, or the main objectives of sharia, Law Number 21 of 2008 concerning Islamic Banking serves as an instrument to achieve the five main objectives of sharia: protecting religion (*ḥifz ad-dīn*), soul (*ḥifz an-nafs*), reason (*ḥifz al-'aql*), descendants (*ḥifz an-nasl*), and property (*ḥifz al-māl*). Islamic banking specifically focuses on protecting property by creating a system that avoids exploitative practices and injustice in the economy. This system also maintains economic sustainability by encouraging investment in the real sector, thus having a positive impact on social and economic welfare. Thus, Law Number 21 of 2008 concerning Islamic Banking not only reflects the value of Islamic economics, but also optimizes the achievement of Maqāṣid Syarī'ah by encouraging broader and more inclusive welfare in society.

In addition, an example of a law in the maqāṣid syarī'ah thinking in sharia economic philosophy is Law Number 20 of 2008 concerning Micro, Small, and Medium Enterprises in Indonesia which is designed to strengthen and protect the Micro, Small, and Medium Enterprises sector as the backbone of the economy. From a sharia economic perspective, support for Micro, Small, and Medium Enterprises has significant value because it is in accordance with the principles of justice, honesty, and balance in economic distribution regulated in sharia. Sharia economics emphasizes the development of businesses that are oriented towards the welfare of the wider community (*maslahah*) and encourages economic equality and poverty reduction through empowerment of the lower classes. In the context of *Maqāṣid Syarī'ah*, which seeks to protect five important aspects of human life (religion, soul, mind, descendants, and property), the development of Micro, Small, and Medium Enterprises is an

important instrument to achieve this goal. By encouraging Micro, Small, and Medium Enterprises, this law can help reduce economic inequality and provide employment, which ultimately supports aspects of property protection (*hifz al-māl*) and social welfare. Therefore, the government's efforts to develop Micro, Small, and Medium Enterprises are in accordance with the principles of *Maqāṣid Syarī'ah*, namely achieving collective welfare through fair and inclusive income distribution, while ensuring that the economic activities carried out are free from elements of usury, *gharar* (uncertainty), and unethical business practices. (Saiful Bakhri, 2021).

In the three laws, it shows the commitment of the Indonesian government in implementing the principles of sharia economics in line with *Maqāṣid Syarī'ah* to achieve public welfare. Zakat management in Law Number 23 of 2011 concerning Zakat Management is regulated to distribute welfare and reduce poverty as a form of social justice. Law Number 21 of 2008 concerning Sharia Banking encourages sharia banking to operate with sharia economic principles that avoid usury and exploitation, providing an alternative financial system that is fairer and in line with Islamic values. Meanwhile, Law Number 20 of 2008 concerning Micro, Small, and Medium Enterprises focuses on the development of Micro, Small, and Medium Enterprises as the backbone of the national economy, which is in line with *Maqāṣid Syarī'ah* in terms of economic equality and empowerment of the lower classes. These three laws reflect the important role of state policy in creating an economic system that supports justice, prosperity and social inclusion, which are the main goals of *Maqāṣid Syarī'ah*.

## Conclusion

The study of laws in the context of the philosophy of Islamic economic law emphasizes the integration of moral and ethical values in economic practices. The philosophy of Islamic economic law is rooted in Islamic principles that emphasize justice, balance, and social responsibility in economic transactions. In this case, laws are not only seen as formal regulations, but also as instruments to achieve higher social and moral goals. By considering aspects such as the prohibition of *usury* (interest), *gharar* (uncertainty), and *maysir* (gambling), the study of laws in Islamic economics seeks to create a sustainable and inclusive economic system. In addition, this study also prioritizes community participation in the process of forming laws, so that the resulting laws can reflect the values and needs of society. Thus, the study of laws in the context of the philosophy of Islamic economic law plays an important role in creating an economic structure that is not only efficient, but also fair and ethical.

Then, the study of law in *maqāṣid syarī'ah* thinking focuses on the goals and values that underlie the application of Islamic law. *Maqāṣid sharī'ah*, which means "the aim of the shariah," seeks to protect five basic things religion (*deen*), soul (*nafs*), reason (*aql*), lineage (*nasl*), and property (*mal*). In this context, law is not only seen as a set of rules that regulate individual behavior, but also as a means to achieve social welfare and justice. Therefore, legal studies must consider their impact on the achievement of *maqāṣid*, by ensuring that every policy and regulation adopted is in line with these

principles. For example, laws relating to the protection of human rights must be able to support the fulfillment of basic rights guaranteed in maqāṣid syarī'ah, such as protection of life and property. Thus, the maqāṣid shari'ah approach in the study of law can contribute to the formation of a legal system that is more responsive to the needs of society and creates harmony between religious values and public interests.

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