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THE SIGNIFICANCE AND APPLICATION OF MAQASHID SHARIA IN CONTEMPORARY ECONOMIC PRACTICES: A QUALITATIVE ANALYSIS

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ABSTRACT

This study delves into the meaning of Maqashid Sharia (the objectives of Islamic law) within the context of the economy, aiming to elucidate its significance and application in contemporary economic practices. Maqashid Sharia, which encompasses preserving religion, life, intellect, progeny, and wealth, is a comprehensive framework guiding ethical and equitable economic behavior. This research employs a qualitative approach, analyzing primary Islamic sources—the Quran and Hadith—as well as scholarly interpretations to uncover the economic implications of Maqashid Sharia. The study highlights that Maqashid Sharia promotes a balanced economic system that prioritizes social welfare and justice, ensuring that economic activities contribute to society's well-being. Fundamental principles derived from Maqashid Sharia include the prohibition of riba (usury), the importance of zakat (almsgiving), and the encouragement of fair-trade practices. These principles prevent exploitation, reduce poverty, and ensure wealth distribution among all societal members. Furthermore, the research explores contemporary applications of Maqashid Sharia in Islamic finance and banking, emphasizing how these institutions strive to align their operations with Islamic objectives. The findings reveal that incorporating Maqashid Sharia into modern economic systems can lead to more sustainable and socially responsible economic practices. This study contributes to the broader understanding of Islamic economics by providing insights into how Maqashid Sharia can be effectively integrated into modern economic policies and practices, promoting an ethical and equitable economic order in line with Islamic values.

KEYWORDS Maqashid Syariah, Economy; Justice; Welfare; Sharia Principles.

INTRODUCTION / PENDAHULUAN

It cannot be denied that Islam is the religion of fitrah. None of the orders brought are contrary to human nature, whether related to creed, shari'ah, or akhlaq. When humans apply the norms established in Islam, life in this world will be harmonious and full of happiness and prosperity. Not even stopping there, in the hereafter, will reach the incomparable pleasure as promised by the Lord of heaven and earth, who has revealed shari'a to mankind (Chapra, 2003).

The economic system regulates and establishes economic relations between people with a set of institutions in an order of life. An economic system

consists of human elements as subjects, economic goods as objects, and institutional tools that organize and intertwine them in economic activities. Socio-economic justice, one of the most prominent characteristics of an ideal Muslim society, must be a way of life and not a separate phenomenon. It must reach all areas of social, economic, and political human interaction. The injustice that occurs in one area will spread to other areas. An institution will fail to give color to other institutions. Even in business and economics, all values must be integrated with justice so that in their totality, they will promote, rather than extinguish, socio-economic justice (Chapra, 2003).

Maqashid al-Syariah aims to achieve prosperity and prevent harm in economic activities. Maqashid al-sharia Islam is a universal teaching that regulates humanity. Islamic teachings concern all aspects of life, both ritual (worship) and social (muamalah). Worship is needed to maintain obedience to human relations with the Creator, while muamalah is the rule of human play in social life. The Islam religion revealed through the Prophet Muhammad PBUH has regulated all aspects of human life, including the economy. Economic activity is a form of worship that relates to human relations. Therefore, economic activity cannot be separated from aspects of aqidah and morals (Riyaldi, 2007).

The objectives of Islamic law itself (Maqashid et al.) include religion (*dien*), soul (*nafs*), intellect (*aql*), family and offspring (*nash*), and material (wealth). These five things are basic human needs, namely needs that must be met so humans can live happily in this world and the hereafter. If one of the above needs is not fulfilled or fulfilled in an unbalanced manner, the happiness of life is also not achieved perfectly (Djakfar, 2007).

However, the economic activities carried out in practice are not all in line with Islamic teachings. There is a capitalist economic system that makes the maximization of profit capital the main goal, overrides socioeconomic justice and moral values, and prioritizes self-interest, thus preventing the achievement of happiness in the world and the hereafter.

From the perspective of Islamic economics, production activities are related to humans and their existence in economic activity. Production is an activity to create wealth by utilizing natural resources by humans. Producing usually means creating the value of goods or adding value to a product. According to Islam, the goods and services produced must be permissible and profitable (i.e., halal and good) (Edwin, 2017).

METHODS

The method used in this research uses the library research method, namely research by collecting data and scientific papers related to the object of research discussion and or data collection with library properties or conducting fundamental studies carried out to solve problems that are based on critical and in-depth study of library materials and other relevant scientific references. The study refers to books and scientific works on maqashid sharia and other supporting arguments.

RESULT AND DISCUSSION

Implementation of Maqashid Shari'ah in Islamic Economics

It is tough to calculate the objectives of Sharia in Islamic economics because these objectives can be based on various sources, such as the texts of Sharia both from the Qur'an and hadith, *ijma' ulama*, *it-at law*, and so on, which are arguments to determine maqashid sharia. In general, the most prominent objectives of shari'ah in *mu'amalat maliyah* are found in the following five maqashid:

1. Justice is the opposite of injustice

All *mu'amalat* in shari'ah is based on justice and rejecting injustice. The most excellent means of realizing this goal is the legalization of buying and selling and the prohibition of usury.

Among the forms of injustice contrary to justice is the manager (*mudharib*) stipulating a certain amount of profit in *mudharabah* because the basis of cooperation is justice between the two parties working together. This is unfair if the profit is determined for one party without another. It is different if an ordinary share is stipulated for all parties, as both share profits and losses. If it is profitable, both get the profit. If it is a loss, both bear it (Bakri, 1996).

2. Honesty and transparency, the opposite of lying and secrecy

This objective means that the practice of transactions and *mu'amalat maliyah* must be based on transparency, honesty, and clarity in all parts of the transaction and all its phases. This is to avoid the damage that is the effect of dishonesty and closure, namely the occurrence of disputes and disputes. Shariah has laid down instruments that can realize the goal of honesty and transparency, the most prominent of which are the command to write down debts and document them, the command to produce witnesses in matters of property rights, and to prescribe pawning (Fauzinudin, 2012).

3. Circulation of wealth, as opposed to hoarding.

This objective means that the shari'ah views wealth as a means by which other resources and dimensions of the economy develop, and the freezing of this wealth implies the stagnation of all dimensions of the economy. This is exactly like the movement of blood in the body. When the blood flows, the body will benefit, and life is dynamic in all limbs. Otherwise, if the blood is frozen and stagnant, the body will experience problems and may even experience paralysis or perish (Aminuddin, 1999).

It is a wisdom of shari'ah that it has prescribed hokum laws that ensure the proper circulation of wealth without hoarding and withholding. This can be seen in two noble hokums, one of which is a command and the other a prohibition. As for the commandments, shari'ah has made them one of the pillars of Islam, and one's Islam is not valid without fulfilling them, namely the obligation of zakat. In essence, zakat is an invitation to invest wealth and mobilize it to be developed; if it is not developed, it will continue to decrease because it has to pay for Zakat.

As for the prohibition, Shari'ah prohibited it and made it a significant sin, namely usury. Because usury is trade-in money, to the point of making money a commodity and an object to be traded, this has the effect of withholding wealth from investment in the real sector and exploiting people in need, in the sector which requires the movement of wealth artificially, which results in damage to the dimensions of social on all sides (Aminuddin, 1999).

These two laws of zakat and riba represent the Shari'ah in realizing this goal and are supported by other instruments, namely: shadaqah, infaq, debits and credits, general good assistance, the prohibition of monopoly, the laws of inheritance, and the distribution of fat.

4. Togetherness, unity, mutual help, as opposed to division, strife, and hostility.

One of Shariah's most excellent objectives is to bring togetherness, unity, and mutual help and reject its opposite division, strife, and hostility. Numerous texts explain this.

Among the evidence supporting this goal's realization in the field of mu'amalat maliyah is the prohibition of gambling, the prohibition of selling over his brother's sale, and bidding over his brother's offer. It is axiomatic that these behaviors will lead to division and strife because of the suppression of the meaning of rights that contain the benefits that his brother has preceded. Therefore, the Prophet SAW forbade these forms of action (Al-Mufarraj, 2003).

5. Making things easy and removing difficulties, unlike hardships and burdensome actions.

The jurists have translated this objective with the rule "Difficulty will bring ease"; if a difficulty is found in a shari'ah law, then Shari' (who has shari'ah) will remove it from a mukallaf in that condition. Implementing this goal in mu'amalat maliyah is very much fundamental and branch related. In general, it can be explained in two dimensions:

a. The ruling of origin in contracts and mu'amalat maliyah

Among the examples of leniency in this matter are:

a) This Shariah is built on the basis that its contracts, mu'amalat maliyah, and traditions are permissible and permissible, not forbidden. This is a great fundamental principle that illustrates the aim of making things easy and removing hardship.

b) The Prophet (peace be upon him) was not given a choice between two things but chose the easiest one while it was not a sinful matter.

b. This can be seen in several practical rulings, such as the permissibility of ijarah (rental) and salam (order) contracts and leniency in exchange contracts (mu'awadhat) when there is minor uncertainty, as well as minor deception in the view of urf (tradition). These are other examples that show Shariah's attention to the objective of providing relief and removing hardship in contracts and mu'amalat maliyah. Among the fiqh rulings that prove this aim are the permissibility of salam contracts, the permissibility of health (debt transfer) contracts, the prohibition of gharar (uncertainty), the permissibility of buying and selling by estimation, even if there is a small degree of uncertainty, in order to remove hardship, the leniency in buying and selling 'Araya (selling dates that are still on the tree for dates that are already on the ground), the permissibility of collecting gold debts with silver, or vice versa, provided that there is a handover, and interacting with impure printed money (Basyir, 1999).

One of the main objectives of Maqashid Sharia in mu'amalat maliyah is justice and the rejection of injustice. This principle is reflected in the legalization of buying and selling and the prohibition of usury. A concrete example of this fairness is in mudharabah contracts, where profits must be shared somewhat between the two cooperating parties. Injustice occurs if only one party determines the amount of profit without considering the other party. This is different if profits are shared based on profit sharing, where gains and losses are shared equally (Bakri, 1996).

Implementing Maqashid Sharia encourages the practice of transactions and mu'amalat maliyah based on honesty, transparency, and clarity in all transaction stages. This is to avoid losses caused by dishonesty and theft, which can lead to disputes and disagreements. Sharia has established instruments such as the order to record and document debts, the production of witnesses in matters of property rights, and the provision of liens (Fauzinudin, 2012).

Another Maqashid Sharia objective is the circulation of wealth instead of hoarding. Sharia views

wealth as a means for economic development, and freezing wealth can result in economic stagnation. Like blood circulation in the body, the healthy circulation of wealth is the key to a vibrant and thriving economy. Shariah laws such as zakat and prohibiting usury support this objective by encouraging investment and avoiding hoarding unproductive wealth (Aminuddin, 1999).

Shariah's main objectives are to promote unity, oneness, and help among people while rejecting division, discord, and enmity. Several prohibitions, such as gambling and selling at a price higher than our brother's offer, illustrate Shariah's commitment to realizing this goal (Al-Mufarraj, 2003).

Maqashid Sharia also prioritizes convenience and the elimination of difficulties in mu'amalat maliyah. The principle of "hardship will bring ease" is reflected in various Shariah rulings that permit multiple forms of contracts, such as ijarah and salam, and provide leeway in exchange contracts (mu'awadhat) and dealing with minor uncertainties. This shows Shariah's attention to providing convenience and eliminating difficulties in economic transactions (Basyir, 1999).

The implementation of Maqashid Sharia in Islamic economics prioritizes financial aspects as well as morals, ethics, and social welfare. By adhering to principles such as justice, honesty, wealth circulation, unity, and convenience, Islamic economics can build an inclusive and sustainable system. This creates a stable economic environment and ensures a fair distribution of resources and prosperity for society.

Maqashid Sharia in Economic Empowerment

Maqashid Sharia aims to realize human benefit in this world and the hereafter. In this case, beneficence is defined as everything that concerns human sustenance, the fulfillment of human livelihoods, and the acquisition of what is demanded by their emotional and intellectual qualities in an absolute sense. Al-Syatibi interprets the goal as protecting religion, soul, intellect, offspring, property, offspring, and honor.

In addition to the theory above, several studies, including Maulidah, show that running a business requires a detailed strategy so that economic empowerment efforts can affect the business. Everything is included in the economic empowerment of a growing community if we study and categorize various indicators of religion, soul, mind, offspring, and property.

The hard work done by people to get a legitimate job and set aside the money earned or

salary earned for charity belongs to the religious indicator here. Work can indicate the soul; if individuals can fulfill all their desires, their souls will have less anxiety or tension. One's actions can be classified under the indicator of reason. Every society must have a reason to do any kind of business. This is because people's instinct should be to want to improve their commercial potential for the better. Heredity refers to the effort to pass on information or insights to children and even grandchildren on how to run a business that is being run so that it can function effectively and even develop in a better direction.

The wealth indicator of the capital invested in establishing a company can be observed. A person can increase his income with capital, and once his income has increased, he can fulfill his needs by working and generating income every month. Working allows them to set aside a portion of their income to be saved and used. Creating a quality generation is an integral part of life because quality human resources will directly impact all aspects of life. The importance of maintaining offspring needs to be a concern of every human being, not least at the economic level, creating a generation that can continue its role in economic activity to achieve the welfare it has achieved so that the achievement of welfare does not stop at one point (Utami, 2020).

Religion is the main component of the maqashid sharia objective and must be maintained. Allah also mandates that we do everything possible to preserve religion, including good deeds. Islam demands worship and prohibits activities that are detrimental to religion in order to maintain it. The community's economic empowerment should include not only the provision of talents and skills but also special attention to their commitment to Allah SWT. It fulfills our financial needs and teaches us how to develop our religion through prayer, zakat, infaq, sadaqah, etc.

Running a business with the maqashid sharia model is entirely legal but must adhere to religious principles. As explained by Satria Darma in his research, there is no benefit to the growth of community economic empowerment if investors only focus on lucrative industries. Wealth should not only be distributed among the rich in Islamic economic ethics. On the other hand, Islamic economics maintains an ideal that allows believers to enjoy worldly goods and contribute to the prosperity of society and economic progress. This means that economics is a means, not an end in itself. Even though Islamic economics enables the mudharabah paradigm, further study of its use is necessary. Any discrepancies, inconsistencies, or arbitrariness? So, the contract is

not at issue here, but rather possible anomalies, arbitrariness, and unfairness in the contract itself.

Income is one indicator of welfare, where this income is generally material, which is outlined in the concept of protecting property. Islam instructs humans to make the best use of property by Islamic law. We should not use wealth for unlawful purposes by carrying out muamalah transactions taught in Islam. So that wealth is not increasingly depleted, one of the steps to utilize wealth is through capital sharing. So that wealth can rotate and produce and income distribution can be evenly distributed. Community economic empowerment is a series of measures to improve the community's welfare to achieve the Islamic economic goal of distribution justice (Setiyawati, 2021).

Maulana's research reveals that Maqashid Sharia is essential in strengthening the community's economy. A sufficient region or community can implement Maqashid Sharia and distribute money. Even if an area faces capital constraints, profits or revenues will be generated, albeit slightly. However, this can be a starting point to improve the quality of products produced or support the financial outcome of community activities (Hilmi, 2019).

Maqashid Sharia, the objectives of Islamic law, is crucial in shaping ethical and equitable economic practices (Hakim et al., 2023). Its comprehensive framework, which includes preserving religion, life, intellect, progeny, and wealth, is a guiding principle for economic empowerment. Islamic economics aims to promote social welfare, justice, and sustainable development by aligning economic activities with these objectives. The preservation of wealth is a fundamental component of Maqashid Sharia (Pusparini, 2022). This principle ensures that wealth is protected and managed responsibly in economic empowerment. Islamic law prohibits activities that lead to the unjust accumulation or depletion of wealth, such as *riba* (usury) and gambling. Maqashid Sharia fosters a stable economic environment conducive to growth and development by encouraging prudent financial management and risk-sharing mechanisms (Duflo, 2012).

Zakat, one of the five pillars of Islam, is a critical tool for economic redistribution under Maqashid Sharia. It mandates the wealthy to contribute a portion of their wealth to those in need, reducing poverty and income inequality. This systematic redistribution helps empower the economically disadvantaged, providing them with the means to participate in economic activities and improve their living standards. Maqashid Sharia emphasizes the importance of fairness and justice in

trade. Ethical business practices, transparent transactions, and fair pricing are integral to economic empowerment. By promoting such practices, Maqashid Sharia aims to create an inclusive economy where all participants can trade without fear of exploitation or fraud. This not only boosts economic confidence but also encourages entrepreneurship and innovation.

Prohibiting *riba* (usury) is a cornerstone of Islamic economic principles (Lawal, 2010). *Riba*-free financial systems aim to prevent the exploitation of borrowers and ensure that credit is accessible on fair terms. This principle supports economic empowerment by providing interest-free loans and profit-sharing schemes that enable individuals and businesses to invest in productive ventures without excessive debt. SMEs are vital for economic growth and job creation. Maqashid Sharia encourages support for SMEs through Islamic financial instruments, such as *mudharabah* (profit-sharing) and *musharakah* (joint venture). These instruments facilitate entrepreneurs' access to capital, fostering innovation and economic diversification. By empowering SMEs, Maqashid Sharia contributes to a dynamic and resilient economy (Lawal, 2010).

The preservation of intellect is another crucial objective of Maqashid Sharia. Investing in education and skill development is essential for economic empowerment. Islamic economic principles advocate for quality education and training to enhance human capital. An educated, skilled workforce is better equipped to contribute to economic development and drive innovation in various sectors. Maqashid Sharia underscores the importance of social welfare and security. Islamic economic systems incorporate social safety nets such as *zakat*, *waqf* (endowment), and *sadaqah* (charity) to support the vulnerable. These mechanisms provide financial assistance, healthcare, and education, ensuring that all members of society have access to basic needs and opportunities for economic participation (Oladapo & Ab Rahman, 2016).

The preservation of life and progeny includes a responsibility towards environmental stewardship. Sustainable economic practices are integral to Maqashid Sharia, which promotes using resources in a way that does not harm future generations. Islamic economics supports long-term economic empowerment and sustainability by advocating for environmentally friendly policies and practices.

Integrating Maqashid Sharia into modern economic systems offers a pathway to ethical and sustainable economic empowerment. Islamic economics can address contemporary economic challenges such as poverty, inequality, and

environmental degradation by adhering to justice, fairness, and social welfare principles. Maqashid Sharia's holistic approach fosters economic growth and ensures that this growth is inclusive and beneficial for all segments of society. This analysis underscores the potential of Maqashid Sharia to contribute to a more equitable and sustainable global economy, aligning economic activities with the broader objectives of social justice and human well-being.

Maqashid Sharia is a concept that aims to realize human benefit in this world and in the hereafter. Beneficence in this context is defined as everything related to the maintenance of human life, the fulfillment of life, and the acquisition demanded by their emotional and intellectual qualities in an absolute sense. Al-Syatibi interprets this objective as protecting religion, soul, intellect, offspring, property, posterity, and honor.

Religion is the main component of the maqashid sharia objective that must be safeguarded. Allah also commands us to make every effort to defend religion, including good deeds. Islam demands worship and prohibits activities that harm religion in order to preserve it. Economic empowerment of the community should include the provision of talents and skills and exceptional attention to their commitment to Allah SWT. It fulfills our financial needs and teaches us how to develop our religion through prayer, zakat, infaq, sadaqah, etc.

Running a business with a maqashid sharia model is entirely legitimate, but it must adhere to religious principles. As explained by Satria Darma in his research, there is no benefit from the growth of community economic empowerment if investors only focus on profitable industries. Wealth should not only be distributed among the rich in Islamic economic ethics. On the other hand, Islamic economics maintains an ideal that allows the Ummah to enjoy worldly goods and contribute to society's prosperity and economic progress. This means that economics is a means, not an end. Although Islamic economics allows the mudharabah paradigm, further study on its actual use is necessary. Is there any discrepancy, inconsistency, or arbitrariness? So, the contract is not here, but there is discrepancy, arbitrariness, and imprecision in the contract itself.

Income is one of the indicators of welfare, where this income is generally material, as outlined in the property protection concept. Islam commands humans to make the best use of wealth per Islamic law. We should not use wealth for unlawful purposes, namely by conducting muamalah transactions that have been taught in Islam. So that wealth is not further eroded, one of the steps to utilize wealth is through

capital distribution so that wealth can rotate and produce, and income distribution can be evenly distributed. Community economic empowerment is a series of steps to improve community welfare so that the goals of Islamic economics regarding distribution justice can be achieved (Setiyawati, 2021).

Maulana's research revealed that Maqashid Sharia is essential in strengthening the community's economy. A region or community that can implement Maqashid Sharia and distribute money. Although an area faces capital constraints, profit or income will be generated, albeit a little. However, this can be a starting point to improve the quality of products produced or support the financial outcome of community activities (Hilmi, 2019).

Maqashid Sharia emphasizes the importance of fairness and honesty in trade. Ethical business practices, transparent transactions, and fair pricing are integral to economic empowerment. By promoting such practices, Maqashid Sharia aims to create an inclusive economy where all participants can trade without fear of exploitation or fraud. This not only increases economic confidence but also encourages entrepreneurship and innovation.

An economic measure that promotes sustainability and fairness in maqashid sharia is small and medium enterprises (MSMEs). Maqashid sharia encourages support for MSMEs through Islamic financial instruments, such as mudarabah (profit sharing) and musharakah (joint ventures). These instruments facilitate entrepreneurs' capital access, encouraging innovation and economic diversification. By empowering MSMEs, Maqashid Sharia contributes to a dynamic and resilient economy.

Intellectual formation is another objective of Maqashid Sharia. Investing in education and skill development is essential for economic empowerment. Islamic economic principles advocate for quality education and training to enhance human capital. An educated, skilled workforce is better equipped to contribute to economic development and drive innovation in various sectors.

The protection of life and posterity includes responsibility for maintaining the environment. Sustainable economic practices are an integral part of Maqashid Sharia, which encourages using resources in a way that does not harm future generations. Islamic economics supports long-term economic empowerment and sustainability by advocating environmentally friendly policies and practices.

Integrating Maqashid Sharia in modern economic systems offers a path for ethical and sustainable economic empowerment. Islamic economics can address contemporary economic

challenges such as poverty, inequality, and environmental degradation by adhering to fairness, justice, and social welfare principles. Maqashid Sharia's holistic approach promotes economic growth and ensures that this growth is inclusive and beneficial to all segments of society.

CONCLUSION

In exploring the concept of Maqashid Sharia within economic frameworks, this journal underscores its profound implications for contemporary economic thought and practice. By emphasizing the ethical and moral dimensions inherent in Maqashid Sharia, the study elucidates how Islamic principles can foster a more equitable and sustainable economic system. It highlights the importance of aligning economic activities with broader societal goals, such as justice, fairness, and welfare, as Islamic teachings prescribe. Furthermore, the journal encourages further research and application of Maqashid Sharia in economic policies and practices to promote socio-economic development that is not only efficient but also socially responsible and ethically grounded. Ultimately, this exploration contributes to a deeper understanding of how Islamic values can inform and enrich economic theory and policy, offering valuable insights for both Muslim-majority and pluralistic societies striving for inclusive and ethical economic progress.

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