

Implementation of Maqashid Syariah in the Development of the Halal Industry in Indonesia

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Abstract: *This article discusses the implementation of maqashid sharia in the halal industry in Indonesia. With the welfare of the people as the main goal, maqashid sharia creates a framework that supports sustainability and ethics in the halal industry. This study explores the principles of maqashid sharia which include protection of life, mind, descendants, property and religion, and their implications for halal industry policies and practices. Through the analysis that has been carried out, it is hoped that it can be used in developing an optimal strategy for sustainable halal industry growth, and in accordance with sharia values, which will provide wider social and economic benefits for Indonesian society. The method used is a literature review method through various sources of literature spread across the Internet. The results obtained that one of the biggest challenges in implementing maqashid sharia in the development of the halal industry is that there are several production actors who still often ignore social benefits, and prioritize individual or personal interests. So there needs to be optimization and emphasis on responsibility by producers so that they can participate in improving community welfare.*

Keywords: *Maqashid Syariah, Halal industry, MSMe development.*

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1. Introduction

Indonesia is one of the countries with the largest Muslim majority in the world. With a Muslim majority population, it has become a standard in Indonesia in terms of interest in the halal industry sector and various aspects have increased (Sulistiani, 2019). This can be a separate opportunity for Indonesia to increase public interest in the halal industry.

The halalness of a product itself has become a special concern in recent industrial developments. As is well known, a Muslim must consume halal food, because this command is also written in the Qur'an and is the basis for a Muslim in carrying out consumption activities. Choosing halal food and drinks is not only done by a Muslim in fulfilling religious obligations, but also as a sustainable choice in supporting a healthy lifestyle (Adila & Filsahani, 2023). This shows a shift in halal goods from the perspective of the Muslim community from what was initially just an obligation to becoming a need that must be met.

According to Bakar et al. (2021), the halal industry is an activity of processing or processing goods using facilities and equipment permitted by Islamic law. This then becomes important for Muslim consumers because of their need for halal products. The halal industry does not only focus on the food sector, because in addition the halal industry also covers several sectors, including clothing, halal tourism, entertainment and media, pharmaceuticals, and cosmetics. So, it can be said that the halal industry is not only limited to providing a halal label for a product, but also changing the halal lifestyle in society (State of the Global Islamic Economy, 2018)

The Qur'an has explained that the halalness of something can be seen from several aspects, including 1) how to obtain it, 2) the halalness of the substances it contains 3) the processing process and 4) the packaging process. If one of these aspects is not met, then a product cannot be said to be a halal product. In addition, a product other than halal, must also meet the criteria of thayyib, which includes the quality and quality of the product, not stale, not expired, not damaged, not toxic, safe and not contaminated with harmful bacteria/viruses and also not fake. By consuming halal goods, it becomes a value of worship for a Muslim because it can provide goodness for life in the world and the hereafter and a form of gratitude for a Muslim for the blessings that have been given by Allah SWT.

With a better understanding of religion, Muslims will be more selective in choosing the products they will consume. One of them is by looking at the halal labeling of the products they will consume. The provision of this certificate is one form of government role to protect Muslim consumers in choosing

and using halal products, which can provide a sense of security and comfort for consumers in consuming various products. (Aziz, 2017).

In addition, in implementing a law, maqashid sharia is one of the foundations that has been considered. The use of maqashid sharia can provide answers that are in accordance with sharia and scientific studies of each case. Sheikh at Thahir in his book explains that maqashid sharia is not specific, but only certain factors from the existence of sharia laws, with the characteristics and objectives of sharia in general in it. Although the meaning of maqashid sharia has not been found explicitly, in general, maqashid sharia can be concluded as the goals, wisdom and intentions contained in the texts of sharia, namely in the Al-Quran and the Sunnahs which have been exemplified by the Prophet Muhammad SAW.

In relation to the potential for developing the halal industry in Indonesia, maqashid sharia can be one of the frameworks that underlie innovation, development, management and marketing of the halal industry in Indonesia. The use of maqashid sharia has been used since ancient times by the companions, which then had its own place in ushul fiqh and was developed by the ushuli in the application of qiyas. Thus, with the explanation of the background, the author intends to conduct a study of maqashid sharia in the development of the halal industry in Indonesia.

2. Materials and Methods

This article is the result of a study using the literature review method, focusing on the principles of sharia law, legal rules and their relationship to implementation. Data collection techniques were carried out using secondary data literature studies, namely legal study materials, maqashid sharia, and fiqh studies that are related to maqashid sharia, as well as their comparison in practices that have been applied in several legal products in Indonesia.

3. Results and Discussion

3.1 Concept of Maqashid Syariah

If examined etymologically, maqashid sharia consists of two Arabic words, namely maqashid which is the plural form of the word maqshad, qasha, maqshid, or qushud, which can be interpreted as heading towards a direction, goal, middle, fair, not exceeding the limit, straight path, and middle between excess and deficiency. Meanwhile, sharia can be interpreted as the laws that are prescribed by Allah for His servants, both those stipulated in the Qur'an and through the Sunnah of the Prophet Muhammad in the form of words, deeds or provisions of the Prophet. This definition is strengthened through the views of Imam Al-Syatibi contained in his book, *Al Muwaqat*, which defines maqashid sharia as legal provisions stipulated by Allah for his servants in achieving the welfare of life both in the world and in the hereafter.

In addition, in terms of terminology, maqashid sharia always experiences developments in meaning from time to time. One of the comprehensive meanings of maqashid sharia was conveyed by Ibn Asyur, which is interpreted as "meanings and wisdom that are considered and maintained by sharia in every form of determining His law, but not limited to certain types of law, where all the characteristics, general objectives, and meanings of sharia contained in the law are included in its scope, and also include legal meanings that are not a concern as a whole but are maintained in many forms of its law". So it can be concluded that maqashid sharia is a science that discusses the provisions and provisions of sharia based on the commands of Allah SWT to his servants to achieve welfare both in the world and in the hereafter..

In various studies, one of which is in the study of fiqh and ushul fiqh, it is often found that maqashid sharia is often used in 3 forms of editorial, including maqasid al-syar'i, Maqasid al-syari'ah, and al-syariah, where the three editorials have almost the same meaning, namely the goals and intentions of sharia. Ontologically, maqashid sharia can be seen as the motivation of Al-Syari; which is limited in terms of sharia. Humans can prove the truth of maqashid al-syariah epistemologically through the benefits that are realized from the laws that are created.

Imam Al-Syatibi in *Al-Muwaqat* stated that maqashid can be divided into two, namely 1) maqashid that returns to the goals of the maker of sharia (Allah SWT) and 2) maqashid that returns to the goals of the servant (qasdu al mukallaf). The first type of maqashid is then divided into four parts, namely, Qashdu Al Syari' fi Wad'i al Syari'ah (The intention of Allah SWT in implementing sharia), in this case it is explained that the purpose of Allah SWT in implementing sharia is for the benefit of His servants which includes three things, namely dlaruriyah (primary), hajiyah (secondary and tahsiniyah (tertiary). Qasdu al Syari' fi wad'i al syariah lil ifham (The purpose of Allah SWT in revealing sharia as something that can be understood), in this case it is explained that sharia was revealed in Arabic to people who did

not have a concept of sharia before. *Qasdu al syari' fi wad'i al syariah li al taklif bi muqtadla* (The purpose of Allah SWT in revealing sharia to be implemented), where it is explained that sharia is *taklif* (burden) beyond ability and contains elements of *masyaqqah* (difficulty). And *Qasdu al syari' fi dukhuli al mukallafkursi ahkam al syari'ah* (The purpose of Allah SWT in sending down the sharia for all his servants), namely a discussion with the main point that the sharia that has been sent down by Allah SWT applies to all his servants, without exception other than something that has been outlined by the sharia.

Furthermore, in its benefits, *maqashid sharia* must contain elements of benefit in it, which is very closely related to Islamic laws. All Islamic laws that have been established must aim to achieve *maslahah* in the orientation of the world and the hereafter. This is done by bringing various things that are beneficial and by avoiding harm or things that are detrimental. In *maqashid sharia*, it has also been explained regarding the five main aspects of protection, or what is commonly known as *darurat al-khamsah*, where the five things include: 1) protection of religion (*Hifdz Ad-Din*), 2) protection of the soul (*Hifdz An-Nafs*), 3) protection of reason (*Hifsz Al-'Ardh*), 4) protection of honor (*Hifdz Al-'Ardh*) and 5) protection of property (*Hifdz Al-Mal*). Where then the attitude of guarding these five aspects is what is called *maslahah*.

3.2 *Halal Industry Development*

In terms of language, the word Halal comes from the Arabic word *halla* which can be interpreted as free or not bound. In the *fiqh* dictionary itself, the word *halal* is intended as anything that is allowed to be done or eaten. In terms of its own terms, *halal* means anything that is not subject to sanctions for its use which is freed by sharia to be done. Where this is often related to consumption activities, especially in the context of food and drink. So it can be concluded that *halal* is anything that is allowed to be done, used or attempted in sharia, because it is free from elements that are dangerous or detrimental.

The *halal* industry itself can be interpreted as all forms of efforts or efforts to improve the welfare of the population through processing raw materials, and developing other aspects so that they can be used as economic products that are permitted by sharia, both in the manufacturing process, business, use, marketing or development are not prohibited in sharia. In practice, the *halal* industry is not only limited to the food and beverage industry, but also includes the sharia financial sector, the *halal* tourism sector, and the Muslim fashion sector.

In the State of the Global Islamic Economy (SGIE) Report 2023, Indonesia managed to occupy the top three positions in The Global Islamic Economy Indicator (GIEI). This shows that there has been a significant increase and strengthening of the *halal* industry ecosystem in Indonesia, which also means that attention to *halal* products has experienced positive developments in Indonesian society.

Indonesia has enormous potential in the development of the *halal* industry, some of which are 1) an abundant population with a Muslim majority, 2) the growth of various *halal* sectors, especially the financial, tourism and fashion sectors, 3) the recognition of Indonesia's achievements in the eyes of the world, especially in the context of the *halal* industry, 4) Indonesia's geographical conditions and its demographic bonus, and 5) increasingly rapid technological developments. This potential is also inseparable from the role of the government which also plays a role in the development of the *Halal Industry* in Indonesia, namely by enacting the *Halal Product Guarantee Law* number 33 of 2014. These potentials can encourage economic growth through increasing export value and foreign exchange reserves.

3.3 *Maqashid Syariah on Halal Industry*

As discussed in the previous sub-chapter, it is emphasized in the *maqashid sharia* that Islamic law always focuses on realizing the welfare of the people both in the world and in the hereafter. This is related to the three main scopes of the welfare itself. *Dlaruriyah* is everything that must exist in order to realize the welfare of the world and the hereafter, where if it is not fulfilled it can cause destruction in worldly life. While *hajjiyat* is all the primary needs that humans need in their lives, and *tahsiniyat* which is a need that is only perfecting human life.

When associated with *maqashid sharia*, the *halal* industry is closely related to *hifdz al-din* or maintaining religion, where a Muslim is ordered to eat *halal* food as part of maintaining religion, which is basically based on the Qur'an and Hadith. In addition, it is also related to *hifdz al-nafs* or maintaining the soul, where a healthy soul will be maintained by consuming good and *halal* things. That way, the soul will always feel calm. A Muslim also successfully implements *hifdz al-'aql* or maintaining reason, by consuming *halal* products. By implementing it in daily life, consuming *halal* products will slowly become a habit and will influence our family and people around us, so that indirectly, consuming *halal*

products also includes hifdz an-nasb. By shopping for halal goods and using them, a Muslim can also implement hifdz al-maal.

Imam Syatabi stated that maintaining the welfare or objectives of the sharia can be realized in two forms, namely positively (ijabbiyah) and negatively (salabiyah). Positive can be interpreted that the sharia must be able to maintain things that can be upheld and strengthen its pillars, while negatively it can be interpreted as sharia that is able to regulate and prevent direct or indirect violations of things that can damage it. So that enforcing the welfare is very closely related to preventing harm.

One of the provisions of the halal industry that is in line with the maqashid sharia in it is related to halal certification activities. An important purpose of carrying out halal certification is in order to protect the rights related to consumers (Rahmi, 2021). This is in line with the main objective of the maqashid sharia, namely to provide the welfare of the people. This can be seen from its role towards consumers, including 1) its main objective in providing comfort, security, safety and certainty of the availability of Halal Products that can be consumed by the community, and 2) increasing added value for business actors in producing and selling Halal Products. Both of these things illustrate that the implementation of halal certification provides benefits for both parties involved in consumption activities, namely consumers themselves, and producers of the products consumed.

In its process, the Halal Industry is closely related to three aspects, namely production, distribution and consumption. These aspects can be developed further by Indonesia, one of which is by implementing maqashid sharia in it. In relation to the production process that is in line with the principles of maqashid sharia, it is a production that aims to maintain and improve the welfare of society, and not for the personal interests of the producer alone, because basically a producer can emerge / be created from consumer demand. (Irkham Firdaus & Reyhan, 2022).

In the production process, the aspect of human safety is an important part of concentration to align with the maqashid sharia framework. With effective implementation, this can also support a good and growing economy along with increasing community welfare. However, when viewed from the practice in the field, there are still many cases where a producer still prioritizes his personal interests, so that he ignores the benefits for society, which can hinder the implementation process of maqashid sharia, one of which is in the halal industry. The interests of the producer can be seen from two things, namely in taking advantage of each product that is traded. A producer also needs to be responsible for the process and results of the production activities carried out, not only prioritizing the maximum profit that can be obtained. Second, it is related to workers who also participate in the production process. The process of paying workers must be in accordance with the efforts made during the worker's production, so that the side of benefit and blessing can be obtained from the production process carried out.

4. Conclusion

Maqashid Syariah is a science that discusses the objectives and provisions of Islamic law in achieving the welfare of the people both in the world and in the hereafter, the implementation of which is reflected in five main aspects. In the context of the halal industry, the application of maqashid sharia focuses on managing the welfare of society through the process of production, distribution, consumption and implementation of halal certification, where it also provides protection and benefits for consumers. In addition, there are challenges in the implementation of maqashid sharia in the halal industry, where this arises when producers prioritize their personal interests over social benefits, so there needs to be an emphasis on social responsibility in production in the context of the halal industry.

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