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TOPIC

THE IMPORTANT OF MAQASID SYARIAH IN ISLAMIC TRANSACTION

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1.0 ABSTRACT

This research is about the importance of Maqasid Syariah in Islamic transaction. Adherence to Maqasid Syariah is very important in Islamic transactions. This matter includes various areas of human interaction such as contracts, partnerships, investments and others. The methodology for this research is uses a qualitative method by referring to articles and journals. This research contains 3 objectives. Firstly, the concept of Maqasid Syariah which is divided into several parts including daruriyyat (benefits), necessity (pilgrimage) and tahsiniyyat (jewelry). Secondly, the concept of Islamic shariah strive to build a financial system that supports social welfare, responsible resource management by adjusting economic stability by complying with the principles of Maqasid Syariah. Thirdly, the importance of maqasid Syariah in Islamic transaction will be able to promote the growth and development of the country's economy. In conclusion, by applying the concept of Maqasid Sharia in daily transactions will contribute to good things such as improving the national economy, upholding justice and others.

2.0 INTRODUCTION

Islamic transactions are any Shariah compliant contract between the client and the relevant bank entity or undertaking by the client or by the relevant bank entity envisaged to be entered into or, as the case may be, issued, in accordance with the Islamic Documentation. In Islamic economy, it is based on fiqh al-muamalat, which regulates the trading and commercial activities.

Muamalat is an Arabic word which means dealings in Islamic. Literally, it means transaction, while technically it means any form of mutual dealings held between people to do a transaction for their needs, such as in trading and commerce. Basically, muamalat is seen as an economic activity. However, muamalat is a social relationship which consists of various economic and non-economic activities (Saifudin, 2017). In addition, an elements of muamalat or the factor that bind the activities called as muamalat are when the activity creates a responsibility among people, the activity comes from mutual agreement, and last but not least, the activity has formality which bind the activity such as by offer and acceptance by two parties.

Islamic economy is driven by fiqh muamalat. Fiqh muamalat is an Islamic regulation that relates to trading and commercial rules. Based on encyclopedia, Fiqh Muamalat defined it as a branch of Islamic jurisprudence that covers the area of commercial and business activities in economy. Originally, Fiqh understanding of rulings, and muamalat refer to the transaction and activities related to the economy such as in Islamic banking offer bai' ijarah, ijarah, murabahah and mudharabah. Fiqh Muamalat deals with the rulings which define and govern the relationship between humans, for example in terms of financial rights and obligation among them. (Encyclopedia, 2013)

Muamalat means transaction. According to islam, any transaction occurring must be in line with Syariah. It is because, Islam regulates certain criteria that will make the transaction become haram (Uluyol, 2016) . First, the transaction or contract bound should not be made for selling or buying forbidden products. Forbidden products in Islam such as alcohol and pork. Second, the contract must not include any interest (riba'). Riba is added from the principal amount. The lender asks for an extra amount from the principal for the borrower to pay. Third, the contract involves uncertainty Awareness on Prohibited Elements in Muamalat: Common Practice in Life 97 (gharar) is prohibited.