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An Analysis of Jasser Auda's Thought on Maqashid Sharia and Its Implications for Sharia Economic Law

Anas Asy'ari Nashuha¹, Muthoifin², Mariam Elbanna³

^{1,2}Department of Islamic Economic Law, Universitas Muhammadiyah Surakarta, Indonesia

³Department of Law, Tanta University, Cairo, Egypt

¹anasnashuha54@gmail.com, ²mut122@ums.ac.id, ³mariam.30917745@f-law.tanta.edu.eg

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Abstract

Objective: This study aims to analyze the thoughts of Jasser Auda regarding Maqashid Sharia (the objectives of Islamic law) and their implications for the development of Sharia Economic Law in Indonesia. **Theoretical framework:** As the discourse of Ushul al-Fiqh (Islamic legal theory) continues to undergo contextual reform, the relevance of Maqashid Sharia as a fundamental framework for implementing Islamic law becomes increasingly significant. Jasser Auda offers a paradigm shift by introducing a systems-based approach that reconceptualizes the five classical dimensions of Maqashid into a dynamic and holistic framework. His approach moves away from rigid textualism and towards the realization of values and outcomes that reflect the spirit of Sharia in contemporary contexts. **Literature review:** The literature review highlights how Auda's model diverges from classical methodologies by focusing on interconnectedness, purposefulness, and context sensitivity. **Methods:** The research is grounded in a qualitative descriptive methodology. Data were collected from relevant literature, policy documents, and scholarly interpretations of Auda's work. The theoretical framework centers on systems theory, epistemological transformation, and the functional role of Maqashid in legal reform. **Results:** The findings demonstrate that Jasser Auda's theory of Maqashid Sharia is highly applicable in revitalizing the role of Islamic law in the contemporary economic domain. In the case of Indonesia, where Sharia economic law is rapidly evolving, Auda's framework provides an adaptive and value-driven model that supports legal dynamism without compromising foundational principles. **Implications:** His model also offers practical implications for policy-making, Islamic finance regulation, and economic justice. **Novelty:** The study contributes novelty by bridging classical Islamic legal philosophy with contemporary legal needs through the lens of systems thinking. This synthesis enhances the responsiveness of Sharia Economic Law to modern challenges and aligns legal goals with the ethical aspirations of Islam.

Keywords: maqashid sharia, jasser auda, sharia economic law, systems approach, legal reform.

INTRODUCTION

The dynamic evolution of Islamic legal thought (Ushul al-Fiqh) in the modern era necessitates a re-examination of its foundational principles, particularly the concept of Maqashid Sharia—the objectives or higher purposes of Islamic law. In an age of globalization, digital transformation, and socioeconomic complexities, rigid and literalist interpretations of Sharia often fall short of addressing the multifaceted realities of Muslim

societies. This research emerges from the urgency to contextualize Islamic legal norms in a way that remains faithful to their ethical foundations while being responsive to contemporary challenges [1].

Jasser Auda, a prominent contemporary Muslim scholar, offers a transformative perspective on Maqashid Sharia through his systems approach. By reframing traditional objectives and incorporating elements such as human dignity, justice, and public welfare into the core legal discourse, Auda paves the way for a dynamic understanding of Sharia that aligns with modern legal and social systems. His theory has significant relevance for countries like Indonesia, where Sharia Economic Law is rapidly expanding within a pluralistic legal environment [2].

Indonesia, as the world's largest Muslim-majority country, has seen the institutionalization of Islamic economics and finance as part of its national development agenda. However, the integration of Sharia principles into national law requires more than textual compliance; it demands a philosophical and methodological foundation that is both flexible and forward-thinking. Auda's conceptualization of Maqashid Sharia provides such a foundation, allowing Islamic economic law to be both authentic and adaptive. Thus, this research is vital not only to enrich academic discourse but also to offer practical insights into how Islamic legal philosophy can guide the development of economic systems that are just, ethical, and contextually relevant in Indonesia and beyond [3].

As for Indonesia, which is a country of law as written in the 1945 Constitution which has been amended by Indonesia's declaration of the state of law is enshrined in Chapter I paragraph (3) which states: "The state of Indonesia is a state of law." which must prioritize legal aspects in dealing with various problems, even though the law has run in Indonesia until now only in the formal aspect. So, the running of the law in this country is regardless of the morality aspect. Moreover, in looking at the sharia economic law that is currently developing in the legal practice that runs in Indonesia. The Indonesian state adopts three existing laws, namely customary law, religious law, and positive law that apply [4]. Living law is one of the sources of law that develops in society. According to Soerjono Soekanto, law is a tangible form of the value system that applies in social life [5].

One of the explanations in the post-amendment 1945 Constitution, especially Article 1 Paragraph (3), states that "Indonesia is a country of law (rechtsstaat)." The desired goal is the achievement of harmony between the law and the value system. Therefore, Islamic law is an inseparable part of Indonesian society, in contrast to positive laws that arise because of political forces that hold power. Practically, the existence of Islamic financial institutions is currently experiencing increasingly rapid development. This is in line with the growing awareness of practicing Islam in a kaffah manner among the majority of Muslims. This development certainly provides new hope for economic actors to run their businesses by the spirit of Sharia law which promises to meet internal needs, and not just for the sake of material profits [6]. Along with the rapid development of sharia economic law, the ideals of economic law are in line with the ideals of Islamic law contained in the Maqasid Shari'ah whose essence is to produce and create the benefits of mankind for this world and the hereafter. Islam is a universal and inclusive religion. Universal means that Islam is intended for all mankind on earth and applies anytime and anywhere until the end of time. Comprehensive means that Islam has complete and perfect teachings. The perfection of Islamic teachings lies in the fact that Islam regulates all aspects of human life, not only the spiritual aspect (pure worship), but also the aspects of mu'ammalah, including economic, social, political, legal, and others [7].

As a comprehensive doctrine, Islam encompasses three main principles: Aqidah, Sharia, and Morality. The relationship between Aqidah, Sharia, and morality in the Islamic system is very complicated. Making it an all-encompassing system. Islamic sharia is divided into two parts, namely Prayer and Mu'amalah [8].

Departing from the above problem, this paper tries to answer how the position of the sharia maqashid from the perspective of Jasser Auda in the midst of the development of sharia economic law in Indonesia. The urgency of Islamic economic law in Indonesia shows newer *ijtihad*, so through the perspective of system theory, Jasser Auda deconstructs a more flexible maqashid science consisting of cognitions, wholeness, multidimensionality, openness, and purposefulness of the system. The methodology offered by Jasser Auda also leads to the realm of Islamic law that is increasingly in line with today's problems [9].

Maqasid first appears in At-Turmudzi's work entitled *as-Salah wa maqasiduha*. The concept emphasizes the process of conceptual transformation into an approach, starting with 'value'. In terms of value, Maqasid Syariah is an inseparable part of the study of *Maslaha Murasa*, *Istihsan*, and *Qiyas* in the study of Islamic fiqh [10]. However, the study of Maqashid Syariah is growing and the urgency of Islamic law decision-making, especially in responding to current legal problems, is becoming clearer.

Jasser explained that Maqashid Syariah is the values that include the wisdom behind the law and a set of moral concepts as the basis of Islamic law. Like justice, free will, generosity, ease of human dignity, and Community Cooperation. All of them are one goal of Islamic law which is expected to achieve good goals by opening up space for good or closing space for evil [11].

Furthermore, Maqasid Syariah Jasser Auda seeks to rebuild and develop the maqashid that has been formulated previously. The development of the times that continues to change shows that the maqashid sharia adapts to the times. The location of the fundamental change from classical maqashid to contemporary maqashid is that the classical maqashid is protection and protection while the contemporary sharia maqashid is more emphasizes development and human rights [12].

The term "system" comes from the Greek word "system," which means a whole consisting of parts or compositions. In general, a system is defined as a series of interactions between units or elements that form an integrated unit designed to perform several functions. This definition is considered simple because it describes a system simply as a series of units that interact with each other. According to Maturana and Varela, a special characteristic of the system is its ability to preserve or renew itself, thus becoming an autonomous system. However, this independence is largely internal with the sole purpose of maintaining its autonomy. Luhmann adopted this idea in law as a social system, in which the law responds to its environment through norms and transforms through internal communication to maintain its autonomy [13].

However, this concept of self-renewal cannot be applied to Islamic law. Renewal in Islamic law (*tajdid*) arises from the openness of the law and its interaction with the outside environment, not from internal activity. Therefore, to overcome these limitations, Jasser Auda developed Islamic legal theory by introducing a number of categories, namely: cognitive nature of the system, wholeness, openness, mutually influencing hierarchy, multidimensionality, and purposefulness. Among these categories, significance can include other features of the Islamic legal system [14].

According to Umer Chapra, Islamic economics is a science that plays a role in improving human welfare, both directly and indirectly. Islamic economics focuses on the arrangement and distribution of resources to achieve Sharia Maqashid, which is the goals of sharia that prioritize the common good and avoid harm. Today, the Islamic economy has become part of the global economy, crossing different countries and religions. This can be seen from the existence of sharia economics in countries such as India, where the majority of the population is Hindu, and England, which is the center of the Anglo-Saxon Catholic Church. Thailand and South Korea are also committed to becoming the center of the world's halal industry. In Indonesia, the development of the sharia economy is not only limited to institutional and regulatory aspects but covers the entire sharia economic ecosystem [15].

Fauzan Ali Rasyid stated that the institutionalization of sharia economic law in Indonesia is increasingly relevant and has bright prospects for several reasons. First, in Indonesia's increasingly open political context, issues and political statements that support Islam attract the attention of politicians as a way to gain support. Second, as a way to reduce the pressure and growth of radical and fundamental groups. By making sharia economics a national political discourse, radical groups will lose sympathy and turn to sharia economic discourse that prioritizes public interests. Third, global economic changes triggered by the financial crisis in Europe and America, thus putting MEE in danger of dissolving. This condition has made the Western world interested in economic power in Muslim countries, including the Islamic economy by establishing Islamic banks in countries such as Switzerland and the United Kingdom [16].

In line with that, it can be said that the political configuration of sharia economic law in Indonesia is increasingly important for the people. This is relevant in meeting instrumental needs as well as human rights, especially if it is associated with national economic development that is populist and has an impact on all people, regardless of their religion. To support this, the importance of the role and legal position of sharia economics can be seen from a multi-dimensional perspective [17].

As a basis for development in the present and future, experts state that culturally, sharia economic law has been applied in society since Islam entered the archipelago. This is evidenced by the large number of economic institutions established by the Muslim community. Lodewijk Willem Christian van den Berg (1845-1927) formulated this dynamic as the theory of reception in complex, which states that Indonesian Muslims have adopted Islamic law as a whole.

LITERATURE REVIEW

The study of Maqashid Sharia in the context of sharia economic law is increasingly receiving special attention from contemporary Islamic scholars. One of the most influential thinkers in the development of the concept of Maqashid Sharia is Jasser Auda. Auda's thinking emphasizes the importance of understanding the main objectives of sharia (maqashid) comprehensively and contextually so that sharia law is not only seen as a normative rule but also as an effort to achieve the benefit of the ummah as a whole. In his work, Auda introduces a holistic and multidimensional approach to Maqashid, which includes five main aspects, namely the protection of religion, soul, intellect, heredity, and property. This approach opens up a space for legal interpretation that is more dynamic, flexible, and by the times [18].

The implications of Auda's thinking on sharia economic law in Indonesia are very significant. Indonesia, as a country with the largest Muslim population in the world, has a need to adapt sharia economic laws that are not only based on classical texts but also pay attention to local socio-economic and cultural conditions. Maqashid Sharia thinking ala Auda can be a normative and methodological basis in formulating Sharia economic regulations that are responsive to modern challenges such as digital finance, financial inclusion, and the protection of consumers and sharia business actors. Several studies have shown that the application of maqashid in sharia economic law can increase the effectiveness and fairness in the implementation of sharia principles [19].

However, there are still challenges in the implementation of this thinking in Indonesia, especially related to the harmonization between fatwas and laws and regulations which are often normative and rigid. The maqashid approach as proposed by Auda encourages the development of more adaptive and humane sharia economic law so that it can contribute to the development of a just and sustainable national economy. Thus, the study of Jasser Auda's thought is not only important academically but also strategically in supporting the reform of sharia economic law in Indonesia [20].

Meanwhile, other literature reviews related to the analysis of Jasser Auda's thoughts, especially on the application of the Maqashid Syariah approach in highlighting the development of sharia economic law in Indonesia, in this framework, the concept of sharia maqashid jasser auda in its relevance to sharia economic law. Bringing a new space in the upheaval of the development of sharia economic law in Indonesia that is fair and civilized in the context of the best life. Recent studies increasingly show the importance of interconnectedness between study groups, interconnectedness between study groups, and effective sustainability, especially in seeing the development of Islamic economic law which is always dynamic. Through this approach, the development of sharia economic law pays more attention to the factors that affect the relationship between Islamic law and Islamic economics which have long been entrenched in the Indonesian state. So that the results of this research provide valuable discourse for the development of economic law practitioners in dealing with human rights issues, justice, and gender issues so that the sharia maqashid as an analytical knife is able to answer the challenges of Islamic Economic Law in Indonesia [21].

The need for contextualization of meaning in ushul fiqh thought [22], to build a sharia maqashid capable of dealing with the times also demands the development of classical sharia maqashid theory to post-modern sharia maqashid. Which then leads to changes in the moral aspect and various fundamental changes. Classical sharia maqashid emphasizes individualistic care, while sharia maqashid is holistic and comprehensive so that it emphasizes scientific and integrated development by today's aspects of life [23].

METHODOLOGY

Research techniques include a collection of knowledge that examines the methodologies used at different stages of research efforts. The next section outlines some elements of the research methodology:

Types of Research. This research is based on data related to the type of research conducted. As a literature research, the data taken comes from books, scientific journals, as well as online sources relevant to the topic discussed [24].

Approach. Approach refers to the perspective that researchers use for the purpose of viewing and examining data, facts, or events in the realm of reality. This research uses a historical-sociological methodology, which uses internal and external criticism to obtain an unbiased understanding of the events under investigation. In addition, it aims to comprehensively describe the context of society, including structure, stratification, and interconnected social phenomena [25].

Data source. This literature research includes two different resources, namely primary and secondary data sources, which are collected to then achieve the research objectives:

Primary Data Sources. Primary data sources are the use of basic data sources that are the basis for the implementation of scientific studies. The main data sources used in this study include: this study presents a comprehensive study of the legal framework that governs the economy based on contemporary sharia maqashid thinking according to Jasser Auda. This aims to review the development of sharia economic law in Indonesia in its entirety through a study of [26].

Secondary data sources. Secondary sources play an important role in corroborating data used for research as well as scientific investigation. This research uses scientific literature as secondary sources, namely theses, books, scientific articles, periodicals, and literature articles related to the maqashid sharia of Jasser Auda and the development of sharia economic law in Indonesia [27].

Data Collection. This study uses an analytical descriptive approach to collect data that shows the overall research results. This data is then compiled and poured into narrative form, interpreted, and analyzed. The purpose of this study is to obtain an objective and detailed

picture of the situation in Indonesia in terms of the application of Sharia Economic Law by the more contextual Sharia Maqashid [28].

Table 1. Research Methods

Element	Description
Types of Research	This is a literature research that gathers data from books, scientific journals, and relevant online sources.
Approach	The research adopts a historical-sociological approach, utilizing internal and external criticism to gain an unbiased understanding of events. It also explores the social context, including societal structure, stratification, and interrelated phenomena.
Data Source	The study uses both primary and secondary data sources: <ul style="list-style-type: none">• <i>Primary Data</i>: Focuses on the legal framework of the economy based on Jasser Auda's contemporary maqashid sharia thinking, aiming to review the development of sharia economic law in Indonesia.• <i>Secondary Data</i>: Includes scientific literature such as theses, books, articles, and periodicals related to maqashid sharia and sharia economic law development.
Data Collection	Data is collected using an analytical descriptive method, compiled narratively, interpreted, and analyzed to provide an objective and comprehensive view of the application of Sharia Economic Law in Indonesia through the lens of contextual maqashid sharia.

RESULTS AND DISCUSSION

Definition of Maqashid Syariah

Three terms have similar meanings in describing the concept of Maqashid Syariah, namely Maqashid al-Syariah, al-Maqashid al-Syari'ah, and Maqashid al-Syari'ah. Among the three, the term Maqashid al-Syariah is the most commonly used. Maqashid al-Syariah is one of the important concepts in the study of Islamic law. The importance of maqashid al-shari'ah makes Islamic legal theorists make it one of the criteria (in addition to other criteria) for a mujtahid in the ijihad process [29]. The main concept of maqashid al-shari'ah is to realize good deeds while avoiding bad deeds or to obtain benefits and reject losses, as the main purpose of Islamic sharia that is revealed to the earth [30]. Maqashid Syariah is the plural form of the word "maqashid," which means something that is a goal or thing to be achieved. The word is also related to "qasada," which means to aim, intend, or have a specific purpose, in line with the terms "ends" in English, "telo" in Greek, "finalité" in French, and "zweck" in German. Initially, the sharia maqashid was considered part of the science of ushul fiqh, but Jasser Auda rejected it. According to him, maqashid and the science of ushul fiqh have fundamental differences, where the science of ushul fiqh tends to focus on the text outwardly, while maqashid is more on the meaning behind the text. This view is in line with the thought of Ibn Assyria [31].

The Theory of Sharia Maqashid in the System Approach

Scholars argue that the purpose of sharia is different from the principles of fiqh, and there are reasons and problems associated with the science of Ushul, including most of the problems in the science of Ushul are not the same as fiqh, the codification of the science of Ushul is carried out after fiqh, and the problem of property often focuses on the deduction of decisions that, in some cases, are not definitive, and the reasons are that the scholars of Ushul provide strict limits of evidence and cannot Achieving Intellectual Unity [32]. Some of them are:

First, in his famous book, Imam Muhammad Al-Tahir bin Asyur comprehensively discusses the maqashid of sharia and its relationship with the science of ushul fiqh. In the

book, he invites us to develop the science of maqashid separate from the science of ushul fiqh.

Second, Ahmad Al-Raisuni supports this view in many of his studies and argues that separating several sciences will not reduce or increase knowledge, but can enrich the knowledge. He also believes that the freedom of Maqasid according to Imam Ibn Assyria is relative, not absolute, because each science is related to other sciences.

Third, Ismail Al-Hassani responded to the call in his book "Nazariyat Maqashid Inda Imam Muhammad Al-Tahir Ibn Asyur," in which he discussed the purpose of Sharia according to Imam Muhammad Al-Tahir Bin Assyria as a whole and its relation to the science of ushul fiqh.

Fourth, Muhammad al-Habib Ibn al-Khoja in his book "Muhammad al-Tahir Ibn Asyur wa kitabuhu Maqashid Syariah Islamiyyah" also discusses the purpose of Sharia according to Imam Muhammad al-Tahir Ibn Asyur as a whole, as well as its role with the science of ushul. This is especially evident in the second part of his book, where he shows that Imam Muhammad al-Tahir Ibn Asyur proposed the idea of separating the science of maqashid from the science of ushul fiqh and its application.

Fifth, Jasser Audah actively supports reforms (Tajdid) in the establishment of Islamic law, including the Sharia Maqashid, although he does not explicitly mention such separation.

Jasser Auda answers this problem with a system approach which in Islamic legal theories is a method used to answer fundamental questions in the fiqh proposal which also explains the role of Maqasid Syariah in overcoming various problems. This approach is a holistic one, where each entity is seen as a system made up of various subsystems that interact with each other, both internally and with the external environment [33]. This approach is based on the assumption that the philosophy of the Islamic system is expected to be able to construct philosophical conclusions that renew the arguments of Islamic theology. Thus, the evidence for God's perfection in His creation is more accurate if it is based on a systems approach, rather than the previous causality arguments, so that truth can be measured scientifically and objectively [34].

Development of the Sharia Economy

The development of Islamic economics, often called sharia economics, in Indonesia has made rapid progress [35]. This progress is driven by the legal sector, especially with the existence of laws and regulations that support the sharia economy. For example, Law Number 3 of 2006 gives authority to the Religious Court to handle sharia economic disputes. In addition, Law Number 19 of 2008 concerning State Sharia Securities and Law Number 21 of 2008 concerning Sharia Banking further strengthen the foundation of Islamic economic law in Indonesia. At the practical level, the development of Islamic financial institutions is accelerating, along with the increasing awareness of Muslims to apply Islamic teachings comprehensively. This development provides new hope for business actors to run businesses that are not only oriented towards material profits but also in line with the spirit of sharia law that emphasizes the fulfillment of spiritual needs [36].

Sharia Economic Law in Indonesia is Relevant to The Theory of The Jasser Auda System

Configuration of Islamic Values in Law and Economics in Indonesia

Sharia economic law in Indonesia is closely related to the theory of the Jasser Auda system, as well as the configuration of Islamic values in law and economics in Indonesia. Ismail Suny divided the discussion on the implementation of Islamic law in Indonesia into two stages, namely the Dutch East Indies period and the Republic of Indonesia period. During the Dutch East Indies period, Islamic law went through two periods: first, the period

of full acceptance of Islamic law (Receptie In Complex), and second, the period of acceptance of Islamic law that depended on customary law (Receptie). Meanwhile, during the Republic of Indonesia, Islamic law also experienced two periods: first, the period in which Islamic law was accepted as a persuasive source, and second, the period of acceptance of Islamic law as an authoritative source [37]. The existence of Islamic economic law in the current Indonesian legal system is not only influenced by historical and demographic factors (such as the majority of the population being Muslim), as some believe. More than that, its existence is driven by the needs of the wider community, after feeling the justice and equity provided by the Sharia economic system in supporting the welfare desired by the nation and the Unitary State of the Republic of Indonesia. The legal position of Islamic economics is further strengthened when it is associated with the philosophy and constitution of the country, namely Pancasila and the Constitution of the Republic of Indonesia in 1945 [38].

With the inclusion of the Jakarta Charter in the Presidential Decree of July 5, 1959, the Jakarta Charter, or the acceptance of Islamic law has the status of an authoritative source in Indonesian constitutional law, not just as a persuasive source. Furthermore, Prof. Mahadi stated that the phrase "The obligation to carry out Islamic sharia for its adherents" has two dimensions. First, the individual dimension that obliges every Muslim to practice Islamic law. Second, the state dimension consists of two sides: the passive side, which means that the state or government must allow Muslims to carry out Islamic law as long as it is by Pancasila and does not disturb security and order. The active side means that the state or government must play an active role, such as providing facilities, and assistance, making necessary regulations, and other actions that support Muslims in carrying out Islamic law.

In various literatures, especially foreign literature, the term "Islamic economics" is more commonly used than "Islamic economics," as in the term Islamic Economics. Therefore, many countries use institutional nomenclature that refers to "Islam," such as in Islamic banking, Islamic management, and Islamic finance. It is different from Indonesia, which prefers to use the term "sharia" rather than "Islam," so economic institutions in Indonesia use sharia labels, such as sharia banks, sharia finance, and sharia pawnshops. This difference is influenced by the socio-political history of Islamic law in Indonesia. However, there is no conceptual difference between Islamic economics and Islamic economics, because both refer to an economic system based on Islamic teachings [39].

Methodologically, economic problems in the muamalah category are part of the responsibility of the ummah to design and update their systems and techniques. Therefore, the system and laws of Sharia economics continue to develop and adapt to remain relevant to the changing times. The freedom to make these changes is dynamic and universal, although not absolute. Umer Chapra defines Islamic economics as a science that contributes to human well-being, with a focus on the allocation and distribution of resources to achieve Maqasid Sharia. In other words, the purpose of sharia economics is to achieve goodness and prevent damage, in line with the goals of Islamic religious teachings [40]. Today, the sharia economy has developed globally, transcending the boundaries of state and religion. This can be seen from the application of sharia economics in countries such as India, where the majority of the population is Hindu, as well as England, which is the center of the Anglo-Saxon Catholic Church, which has also accepted and developed sharia finance. Thailand and South Korea are also committed to becoming the world's halal industry hub. In Indonesia, the development of the sharia economy is not only seen in institutions and regulations but also includes the entire sharia economic ecosystem [41].

Basic Concepts of Jasser Auda System Theories

Jasser Auda develops several categories which include cognitive nature, wholeness, openness, interrelated hierarchy, multi-dimensionality, and purposefulness [42].

Cognitive Nature

This refers to the nature of knowledge that makes up the Islamic legal system. Islamic law is compiled based on the understanding of a legal expert (faqih) of the texts that are the basis of the law. Auda emphasizes the need to distinguish between the texts (the Qur'an and As-Sunnah) and the understanding of the texts. There is a fundamental difference between sharia, fiqh, and fatwa. According to Auda, fiqh is an interpretation carried out by legal experts, which is often understood in a wrong way and understood as sharia. Fiqh is the result of ijihad that is based on the Qur'an and Sunnah to understand the meaning it contains, but it is still a human understanding that can be wrong. Therefore, this understanding requires proficiency in knowledge, which allows one to connect concepts holistically.

Auda criticized misunderstandings such as equating ijmak (consensus) with the main source of law. For him, ijmak is not a legal reference, but merely a consultative mechanism that is closed to outsiders.

Wholeness

Referring to systems theory, Auda emphasizes that all causal relationships in Islamic law must be comprehensively understood. He seeks to expand the concept of maqasid ash-sharia from the individual level to a universal dimension that can be accepted by the wider community, including the values of justice and freedom. Auda relies on the principle of holism to critique the concept of causality in Islamic theology and argues that all creation requires not only a cause but also a greater purpose.

He emphasized that a holistic mindset is indispensable in the renewal of the study of fiqh proposals because it helps to understand the law with a holistic and adaptive approach, more than just fixed parts.

Openness

According to systems theory, a dynamic system is an open system, even those that appear to be dormant, essentially remain open. The openness of a system depends on its ability to achieve its goals in a variety of situations. This condition is affected by the external environment that interacts with the system. Based on this theory, Jasser Auda argues that the Islamic legal system is open, with openness being an important element in Islamic law, and closing the door of ijihad will only make it static. Ijihad is very important in fiqh to enable jurists to respond to new problems by developing appropriate mechanisms and methods. Auda emphasizes two forms of openness. First, openness in changing cognitive culture is closely related to the way a person perceives the world around him. This worldview plays an important role in understanding reality and determining the direction of one's actions. Fiqh, according to Auda, must take into account urf (custom) to conform to the purpose of maqasid al-shariah, although urf sometimes differs from the actual meaning of the text. Second, acceptance of philosophical studies. For a long time, Islamic jurists have been open to the study of philosophy, especially Greek philosophy. Al-Ghazali, for example, adopted concepts from Greek philosophy and adapted them to Islamic law, such as the use of the method of qiyas (analogy) adapted from Aristotle's syllogistic deductions. Auda considers that the traditional approach in fiqh, which is called deontic logic in modern terms, tends to be too rigid and insensitive to the development of the times. Therefore, according to Auda, Islamic law must be open to philosophical thought and needs to renew its views, including considering changes in worldview and urf to achieve a more universal legal goal.

Interrelated

One of the characteristics of a system is the existence of a hierarchical structure. A system is made up of smaller subsystems underneath, where the relationships between the parts determine the goals and functions to be achieved. The process of dividing a larger system into smaller parts is a way to sort out the differences and similarities between the elements. The smallest part represents the whole, and vice versa. In the context of the Islamic legal

system, there are similarities between the legal structure and the structure of the surrounding society or environment. The Islamic legal system is influenced by the worldview or ideology of a jurist (faqih), which is shaped by the social, cultural, and economic situation around him. A faqih as an individual is part of a wider society, and he adapts to the social structure in which the law is applied. This process, called structuring, gives meaning to the Islamic legal system.

The legal product issued by a faqih cannot be separated from the context of the environment in which he lives, because maqasid asy-shari'ah (sharia goals) is a reflection of his worldview which is also influenced by external conditions. According to Jasser Auda, maqasid is a meeting point that connects various schools of fiqh. The method of approaching Islamic law through maqasid is considered a safe approach because it is not limited to a specific text or opinion, but rather is based on general principles that unite Muslims, allowing them to face common challenges.

Multi Dimensionality

A system does not stand alone, but rather consists of various parts that are integrated and form a coherent structure. Because a system is complex, it has a diverse spectrum of dimensions. Islamic law can be likened to this kind of system, which consists of various dimensions. According to him, in Islamic law, there is a binary opposition that divides between qat'iy (certain) and dhanni (uncertain), which is dominant in the methodology of law-making, which can be seen from terms such as qat'iyyu al-dilalah (certainty in meaning), qat'iyyu al-thubut (certainty contained in sources), and qat'iyyu al-mantiq (certainty embodied in logic). Auda argues that this paradigm of binary opposition should be removed to prevent methodological narrowing and allow for the harmonization of propositions that appear to be inconsistent with the focus on maqasid (the main goal of law). For example, differences in the sunnah related to worship should be seen from the point of view of maqasid li tafsir (ease of law). The difference in hadith related to urf (custom) needs to be seen from the perspective of maqasid which emphasizes the universality of law. In addition, the existence of naskh (annulment of the law) should be a process of determining the law that takes place gradually.

Purposefulness

Every system produces outputs called purpose, which are the result of relationships within that system. In system theory, there is a difference between goal (al-hadaf) and purpose (al-ghayah). A system can produce a purpose if it can achieve goals with different approaches, or can adapt and achieve goals in different situations. Meanwhile, goals are only achieved under constant conditions, in a mechanistic way, which results in only one goal. Within the framework of Islamic law, maqasid al-shariah is included in the category of purpose (al-ghayah). Maqasid is not monolithic or mechanistic, but it can vary according to existing conditions and situations. Jasser Auda emphasized that the achievement of maqasid is the main and important principle in the Islamic legal system. The understanding of maqasid must always be based on original sources (Qur'an and Hadith), not on faqih views or thoughts. Therefore, the purpose of the establishment of Islamic law must be measured by how the law realizes the benefits of the surrounding community, without being bound by certain tendencies or sects.

The concept of the Sharia Maqasid system according to Jasser Auda is an answer to intellectual anxiety as well as an answer to how the Sharia Maqashid process is adaptive to the reality of Sharia Economic law today. Indonesia, which is in its development, faces differences often difficult because it requires awareness and acceptance that differences are natural and natural, not a threat. Jasser Auda, in responding to various disputes in jurisprudence, invites everyone to switch from an attitude of blaming each other's opinions to an attitude of respecting and acknowledging the truth in each opinion. Looking at the legal context in Indonesia, as well as the perspective of the theory of the Jasser Auda System, which is more relevant so that the development of Sharia Economic Law can be opened with:

cognition, whole, openness, interconnectedness, and multi-dimensionality. In Chapter IV, we will describe the results of the analysis of system theory with various phenomena of the sharia economic legal system in Indonesia today [43].

Table 2. Summary of Results and Discussion

Section	Subsection	Key Points
Definition of Maqasid Shariah	Terminology & Core Meaning	Maqasid al-Syariah (most used term) refers to objectives of Sharia: achieving benefit (<i>maslahah</i>) and avoiding harm. Rooted in the word <i>maqasid</i> (goal).
	Relation to Usul Fiqh	Initially part of <i>usul fiqh</i> but considered distinct by Jasser Auda due to its focus on meaning rather than text form. Supported by Ibn Ashur's views.
Maqasid Shariah and System Theory	Critique of Traditional Ushul	Scholars argue that <i>usul fiqh</i> lacks unity and is text-oriented, thus a more adaptive system is needed.
	Proponents	<ul style="list-style-type: none"> - Ibn Ashur: proposed separating maqasid from usul fiqh. - Al-Raisuni: emphasized knowledge enrichment through separation. - Al-Hassani, Ibn al-Khoja, Jasser Auda: supported maqasid as an independent science.
	Jasser Auda's System Approach	Introduced holistic system theory to Islamic law. Systems consist of subsystems interacting with their environment; promotes adaptability and scientific rigor in Sharia.
Sharia Economic Development in Indonesia	Legal Foundation	Rapid development supported by Law No. 3/2006, No. 19/2008, and No. 21/2008.
	Social Impact	Sharia finance aligns with Muslims' desire for spiritual and ethical business practices.
	Conceptual Framing	Preference for "Sharia" over "Islamic" in Indonesia stems from sociopolitical history. No conceptual difference between "Islamic Economics" and "Sharia Economics."
	Global Context	Sharia finance is adopted globally—even in non-Muslim countries like the UK, India, Thailand, South Korea.
Sharia Law and Jasser Auda's System Theory in Indonesia	Historical Evolution	From Dutch colonial <i>Receptie</i> period to Republic era where Islamic law gains persuasive then authoritative power.
	Legal Position	Based on Jakarta Charter and supported by Pancasila and 1945 Constitution. Islamic law seen as both an individual and state obligation.
	Relevance	Islamic legal development in Indonesia reflects dynamic, holistic adaptation encouraged by Auda's theory.
Jasser Auda's System Theory Concepts	Cognitive Nature	Differentiates between <i>Shariah</i> , <i>fiqh</i> , and <i>fatwa</i> ; emphasizes interpretation and understanding over textual literalism.
	Wholeness	Promotes holistic, integrated view of Islamic law, extending maqasid to universal principles.
	Openness	Supports openness to <i>ijtihad</i> , custom (<i>urf</i>), and philosophy (e.g., Greek logic in Islamic legal methodology).
	Interrelatedness	Legal rulings influenced by social and cultural

		contexts; fiqh is shaped by worldview and environment.
	Multi-dimensionality	Islamic law is complex, not binary. Opposes rigid classifications; promotes harmonization under maqasid.
	Purposefulness	Law must serve maqasid as ultimate purpose (<i>al-ghayah</i>), not rigid goals. Adaptability is essential to achieve community welfare.

Analysis: Comprehensive Analysis of Jasser Auda's Thought on Maqasid Sharia and Its Relevance to Sharia Economic Law in Indonesia

Jasser Auda's contribution to the contemporary discourse on *Maqasid Sharia* (the higher objectives of Islamic law) is profound, especially when contextualized within the development of Sharia Economic Law in Indonesia. He offers a systematic and philosophical reorientation of Islamic legal theory by integrating systems theory into the interpretation and application of maqasid. Auda's framework presents a significant shift from classical jurisprudence, which is often rigid and text-bound, to a more dynamic, ethical, and functional understanding of Islamic law. At the core of Auda's theory is the idea that Islamic law must serve *al-ghayah* (purpose) rather than just *al-hadaf* (goal), highlighting the necessity for laws to be adaptable, purposeful, and aligned with broader social and human needs. He proposes six interrelated dimensions to this system: cognitive nature, wholeness, openness, interrelated hierarchy, multi-dimensionality, and purposefulness. These categories aim to overcome the methodological limitations of classical *usul al-fiqh* and promote a more inclusive and responsive legal structure.

In the Indonesian context, these ideas resonate strongly. As the world's largest Muslim-majority country, Indonesia has made significant strides in institutionalizing Islamic economics through laws and institutions. Laws such as Law No. 21/2008 on Sharia Banking and Law No. 19/2008 on State Sharia Securities reflect governmental support for integrating Islamic economic principles into the national legal framework. However, challenges remain in ensuring these laws are not merely formalistic, but truly rooted in the ethical vision of Sharia. Auda's system approach helps bridge this gap by emphasizing that Islamic law must interact with real-world complexities—social, economic, and political. For instance, economic justice, financial inclusion, human dignity, and consumer protection are all contemporary issues that require Sharia economic laws to be interpreted through the lens of maqasid. Instead of narrowly applying legal texts, Auda's theory promotes holistic reasoning that includes local customs (*urf*), changing worldviews, and evolving societal needs.

Furthermore, his criticism of equating *fiqh* (juristic opinion) with *sharia* is particularly relevant in pluralistic societies like Indonesia, where Islamic law must coexist with positive and customary law. Auda argues that fiqh is human understanding and, thus, inherently fallible. Therefore, it must remain open to reinterpretation through *ijtihad*, especially when addressing new realities like digital banking, fintech, and halal industries. Indonesia's socio-political history also adds a unique layer to this discussion. The nation's legal system embraces a triadic structure: positive law, customary law, and religious law. Within this pluralistic framework, Auda's maqasid-based approach offers a unifying perspective. It does not impose uniformity but rather encourages a shared pursuit of justice, welfare, and ethical integrity, aligning well with national values such as Pancasila and constitutional mandates.

Moreover, the development of Sharia economic law in Indonesia reflects not just religious revivalism, but also practical responses to global financial crises, socioeconomic gaps, and the search for sustainable alternatives. Auda's theory validates these efforts by emphasizing the humanistic and developmental goals of Sharia. In conclusion, Jasser Auda's maqasid system offers a robust and visionary framework for reforming Sharia economic law in Indonesia. It harmonizes classical jurisprudence with modern challenges, creating room for contextualization, adaptability, and ethical integrity. By rooting economic regulations in

maqasid, Indonesia can build a Sharia economic system that is both legally sound and socially transformative—capable of serving the ummah and humanity in a meaningful, sustainable way.

CONCLUSION

Jaseer Auda views that Islamic law is not independent, it is closely related to various other existing sciences. For Jasser Auda Maqasid Shari'ah (the goals of shari'a) serves as the main foundation in his approach to Islamic law, by basing it on the method of system analysis. This system approach is considered innovative in the study of Islamic law and Ushul al-Fiqh because it has not been used comprehensively Jasser Auda's approach is based on six main interrelated features: The Cognition Dimension of Religious Thought: it deals with the way of thinking and the process of understanding in religious thought. Holistic approach: An approach that deals with all the functions of aspects related to Islamic law and thought. Openness: An open mind to new ideas and interaction with the environment and changing reality. Mutually Influential Hierarchy of Thinking: Involves different levels of thought that are closely related and mutually influential. Religious Thinking Involving Multiple Dimensions: A multidimensional approach to religious issues. Intent (Maqasid): This is the main feature that encompasses and directs all other features. Maqasid, or the purpose of the shari'a, serves as a fundamental guide in this system The intention or Maqasid becomes the main feature that connects all the elements in this system of thinking, because Jasser Auda sees that the effectiveness of Islamic law is measured by the extent to which it achieves the Maqasid of the Shari'ah, i.e. the goal of the shari'a. According to him, contemporary Islamic law reform should aim at the achievement of Maqasid, whose main focus is on the effectiveness of law as a problem solver that brings great benefits to the ummah and humanity. Thus, this approach leads to an assessment of Islamic law based on the extent to which it is able to solve social problems more effectively, and efficiently, and provide great benefits. In essence, the development of Jasser's thought dismantles the application of classical sharia maqashid which is protective to contemporary sharia maqashid which is developmental without leaving the basis of the classical sharia maqashid. So Sharia economic law seen from maqashid sharia jasser Auda becomes a concrete answer to the problems of Islamic Economic Law today.

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Author Contribution

Both authors contributed equally to the conceptualization, analysis, and writing of this research. Author 1,2 was responsible for literature review and data interpretation related to Jasser Auda's theory. Author 3 focused on examining the implications for Sharia Economic Law and ensured scholarly alignment with Maqashid Sharia. They collaborated closely in drafting and finalizing the manuscript. All authors read and approved the final version of the paper and are equally accountable for its content.

Conflicts of Interest

All authors stated that there was no conflict of interest.

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