

HALAL



Konsep Syariah dalam Organisasi Bisnis

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Bahasan Presentasi

- Urgensi berbisnis dalam Islam
- Urgensi memperhatikan aspek syariah
- Urgensi harta halal
- Sikap Islami dalam memulai bisnis
- Manajemen islami dan perbedaannya dengan manajemen konvensional
- Maqasid Asy Syariah sebagai dasar Operasional Bisnis

Urgensi Berbisnis Dalam Islam

1. Sesuatu yang dihalalkan oleh Allah SWT

Dan Allah telah menghalalkan jual beli dan mengharamkan riba.” [Al-Baqarah: 275]

2. Sarana untuk kemajuan suatu bangsa

Apabila Allah menginginkan kemajuan dan kesejahteraan kepada suatu kaum maka Allah akan memberi mereka karunia kemudahan dalam jual beli dan kehormatan diri. Namun bila Allah menginginkan bagi suatu kaum kemacetan dan kegagalan maka Allah bagi mereka pintu penghianatan. (**HR. Athabrani**)

3. Wasilah untuk masuk surga

Pedagang yang jujur amanatnya kelak di hari kiamat bersama-sama para nabi, shidiqin dan para shuhada. (**HR. Attirmidzi dan Ibnu Majah**)



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Apa Urgensi Memperhatikan Aspek Syariah?

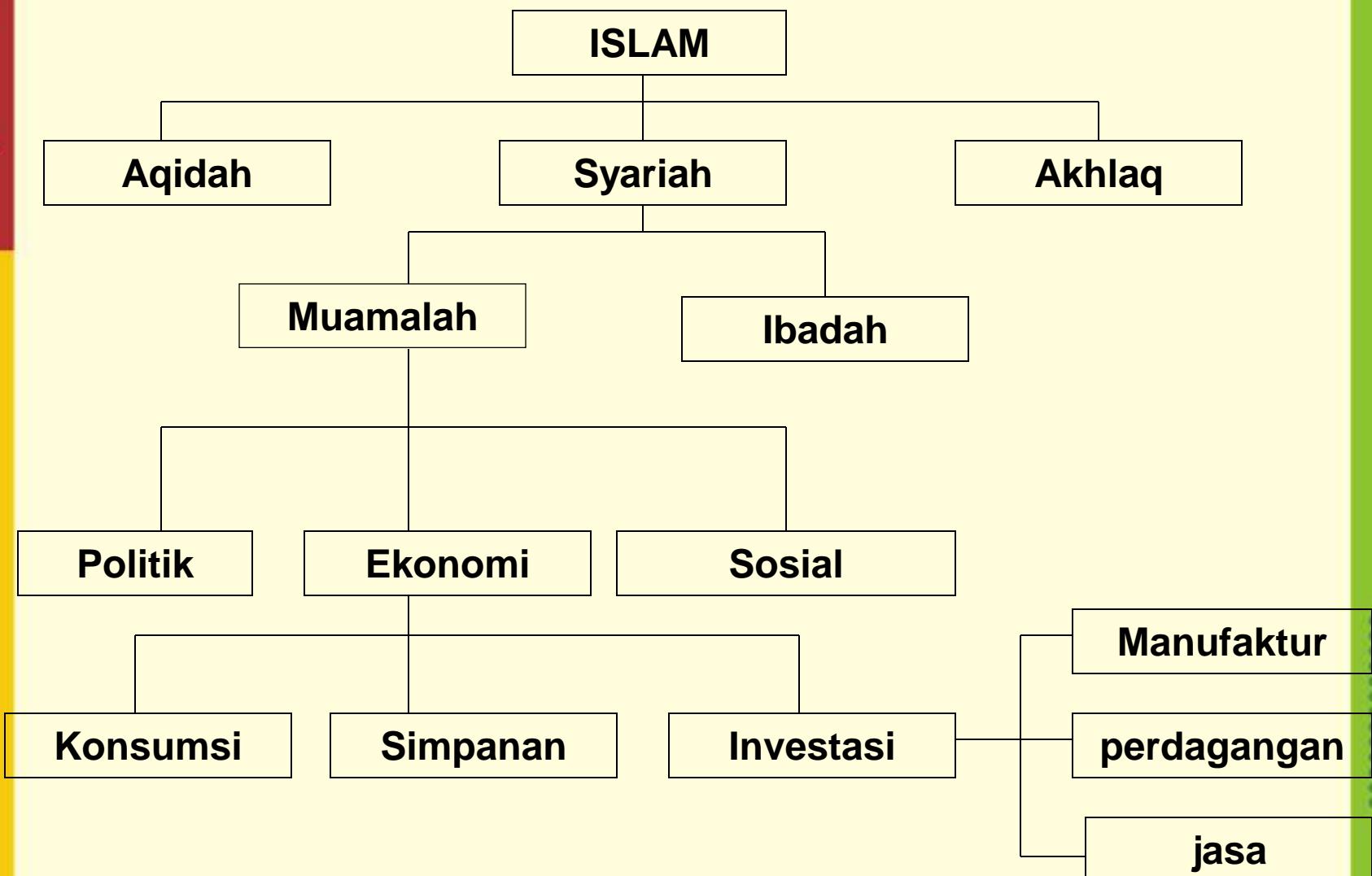
Prinsip Kaffah dalam Islam

يَا أَيُّهَا الَّذِينَ آمَنُوا ادْخُلُوا فِي السَّلْمِ كَافَةً وَلَا تَتَّبِعُوا خُطُواتِ
الشَّيْطَانِ إِنَّهُ لَكُمْ عَدُوٌ مُّبِينٌ

[البقرة/208]

“Wahai orang-orang yang beriman, masuklah kalian kepada Islam secara kaffah (menyeluruh), dan janganlah kalian mengikuti jejak-jejak syaithan karena sesungguhnya syaithan adalah musuh besar bagi kalian.” [Al-Baqarah : 208]

Cakupan Islam dan Kerangka Kegiatan Muamalah



Kaedah Berbisnis Islami

- “Hai orang-orang yang beriman, janganlah kamu saling memakan harta sesamamu dengan jalan yang bathil, kecuali dengan jalan perniagaan yang berlaku dengan suka sama suka di antara kamu.” [An-Nisaa': 29]

Urgensi Harta Halal

1. Allah SWT hanya menerima yang Tayyib

Dari Abu Hurairah Rodhiyallahu ‘Anhu, ia berkata:” Rosulullah Shallahu ‘Alahi Wassallam bersabda: “ Sesungguhnya Allah Ta’ala adalah Maha Baik, tidak menerima kecuali yang baik.....(HR. Muslim no. 1015)

2. Allah hanya mengabulkan do'a orang yang hanya mengkonsumsi yang halal

.....Maka barang siapa yang menjaga diri perkara-perkara yang syubhat tersebut, berarti dia telah menjaga dien dan kehormatannya, dan barangsiapa yang terjerumus ke dalam perkara yang syubhat, berarti dia telah terjerumus kepada yang haram.....(HR.Al-Bukhari (no 52) dan Muslim (no 1599)

3. Allah akan mengganti harta haram yang kita tinggalkan dengan sesuatu yang lebih baik

Sesungguhnya tidaklah kalian meninggalkan sesuatu karena Allah, kecuali Allah akan mengantikan bagimu sesuatu yang lebih baik dari apa yang kamu tinggalkan itu.” (Hadist riwayat Imam Ahmad

Gambaran pengetahuan terkait fikih muamalah dalam bisnis





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Bagaimana Bisnis yang Islami?

Sebelum Memulai Bisnis

1. Niat karena Allah SWT
2. Tumbuhkan/gali passion
3. Gali ilmunya
4. Ketahui fikih muamalah dalam berbisnis (supaya tidak sampai melakukan yang haram tanpa disadari)

Manajemen Islami dalam Menjalankan Bisnis

- Manajemen Islami adalah proses perencanaan, pengorganisasian, kepemimpinan, pengendalian usaha-usaha anggota organisasi dan penggunaan semua sumber daya organisasi berdasarkan petunjuk Allah SWT dan Rasulullah dengan skill, integritas dan mental yang bisa dipertanggungjawabkan (kepada Allah SWT dan para stakeholder) untuk mencapai tujuan yang telah ditentukan.

Ciri-Ciri Manajemen Islami

- Menurut Syed M. Athar, manajemen Islami memiliki ciri-ciri berikut:
 - Halal tujuannya
 - Halal prosedur, metode, alat dan tekniknya
 - Mengikuti aturan dan hukum-hukum Islam
 - Menekankan pada upaya kelompok dan kerjasama kelompok
 - Menjadikan manusia sebagai sumber daya yang paling penting dan sangat berharga
 - Tujuan utamanya adalah mendapatkan berkah dan keridoan Allah SWT.

Manajemen Islami vs Manajemen Konvensional

Aspek Perbedaan	Manajemen Islami	Manajemen konvensional
1. Definisi	Mencapai tujuan organisasi melalui metode dan prosedur yang halam di semua aspek	Mencapai tujuan organisasi melalui semua cara yang cocok untuk mencapainya
2. Ciri khas	Mengikuti prinsip dan etika Islami	Mengikuti aturan dan filosofi sekularisme dan kapitalisme
3. Landasan	Qur'an & Sunnah	Teori-teori manusia dan etika sekuler
4. Tujuan	Memuaskan (mendapatkan ridho) Allah SWT	Memuaskan pemilik dengan profit-maximization
5. Akar dan kaitannya	Terkait erat dengan kesuksesan akhirat	Hanya terkait dengan keuntungan dunia

Manajemen Islami vs Manajemen Konvensional

Asoek Perbedaan	Manajemen Islami	Manajemen konvensional
6. Pengakuan	Ada motivasi pengakuan sebagai ibadah	Tidak ada motivasi pengakuan sebagai ibadah
7. Filosofi	Keseimbangan antara dunia dan akhirat	Tidak ada upaya mewujudkan keseimbangan
8. Kualifikasi	Technical (Managerial) & Religious skills dianggap penting dan perlu.	Hanya technical (Managerial) skills yang dianggap penting dan perlu.
9. Pengambilan keputusan	Berdasarkan konsensus mayoritas (<i>shura</i>) melalui prosedur aspek kehalalan	Tidak mesti berdasarkan konsensus mayoritas (<i>shura</i>) dan prosedur halal
10. Pengendalian	Pengendalian SDM relatif lebih sederhana krn motivasi mandiri melalui etika dan prinsip Islam	Pengendalian SDM sangat rumit dan harus menggunakan banyak metode.



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Maqashid Syariah sebagai dasar Operasional Bisnis

Definisi Maqashid Syariah

- Menurut Ibnu 'Asyur:

“Makna atau hikmah yang bersumber dari Allah SWT yang terjadi pada seluruh atau mayoritas ketentuan-Nya (bukan pada hukum tertentu)”

- Menurut Al-Fasi:

“Tujuan atau rahasia Allah SWT dalam setiap hukum syariat-Nya”

Maqashid Syariah

- Menurut Ar Risuni:

“Tujuan yang ingin dicapai oleh syariat untuk merealisasikan kemashlahatan umat”

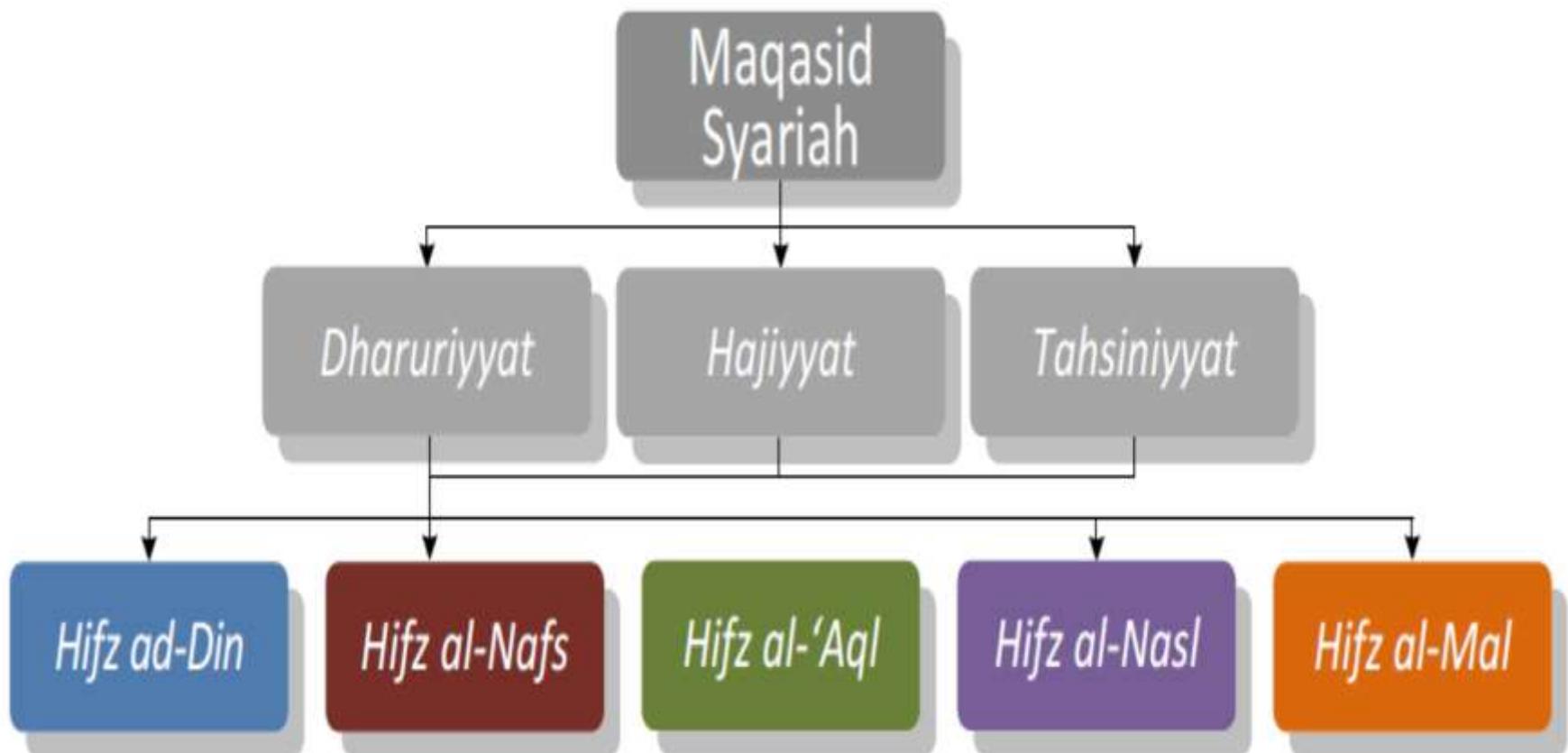
- Menurut Jaser Audah:

“Tujuan, prinsip, keinginan, sasaran, hasil akhir atau prinsip dalam hukum Islam untuk kepentingan kemanusiaan”

- Menurut Syahroni dan Karim:

“Memenuhi hajat manusia dengan cara merealisasikan maslahatnya dan mengindarkan mafsaadah dari mereka”

Klasifikasi Maqasid Asy Syariah



Gambar 2.2 Klasifikasi Maqasid Syariah berdasarkan Imam Ghazali

Classification of *Maqasid al-Shariah*

- *Maqasid al-Shariah* is divided into three major categories according to its inner strength namely:
 - The necessities or essentials (*daruriyyat*).
 - The needs (*hajiyat*).
 - The complementary (*tahsiniyyat*).
- All the Islamic legal ruling refers to realize one of the above categories.



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The necessities or essentials (*daruriyyat*)

- The *daruriyyat* refer to the necessities and the essentials that the people depend on them, and without them the whole society will be in a total disaster and disorder and disruption, and end with the total collapse.
- Ibn Ashur defined the *daruriyyat* as: “..Are thing whose realization is essential for the community both collectively and individually, the social of the community will not function properly if there is any defect in these things”.
- These *daruriyyat* must be protected because they are considered as the fundamental need in life in mankind.

Cont.

- The primary categories contains five ultimate purposes of the law, and considered the most valuable matter in life, which are:
 - preservation and protection of religion (*al-din*),
 - preservation and protection of life (*al-nafs*),
 - preservation and protection of progeny or dignity (*al-'ird*) (Nasl),
 - preservation and protection of intellect (*al-aql*),
 - preservation and protection of wealth (*al-mal*).
- These five categories are considered the primary purpose in Islamic law.

The five fundamentals of *al-Daruriyyat*

- *The Essentials (al-Daruriyyat)* comprise the five fundamental and valuable matters in life, which are: protection of religion (*al-din*), protection of life (*al-nafs*), protection of dignity or lineage (*nasl, al-'ird*), protection of intellect (*al-'aql*) and protection of property (*al-mal*).

Protection of *al-din*

- The protection of *al-din* is shown in various forms at Ibadat level.
- the protection of religion is achieved by performing all kind of worship as it is describe by the Quran and the hadith, and explain deeply in Islamic law.
- If we look at the protection of *al-din* at the wider scope the protection will be in form of protection of the religion it self by defending Islamic as faith and religion.

Cont.

- **Protection of Life (Al-Nafs)**

- The protection of life is a very primary requirement in *maqsad Shariah*.
- In order to keep the life protected shariah has impose some punishment for any one who may hurt the life by killing or injuring.
- Quran says: “O ye who believe! The Law of equality is prescribed to you in cases of murder...” (Al Baqarah 2: 178).

- **Protection of Family (Al-'Ird)**

- Islam has regulate the relationship in the society between the men and the women in order to achieve the protection of dignity and avoid the misbehaviors.
- The protection of Al-'Ird include the protection of individual rights and respect their privacy.
- Islam prohibited adultery in order to protect dignity.
- Islam impose some punishments for those who are involve adultery activities, on the other hand impose punishment for those who are involve in false accusation as way to protect privacy of the individual.

Cont.

- **Protection of Intellect or Mind (Al-‘Aql)**
- Islam has a great respect to the intellect and consider it as one of the great gift given by Allah to the human being.
- from the Islamic point of view the intellect is the only way that can recognise the creator.
- through the intellect the mankind can achieve solid evidence and proof of the God existence.
- through the intellect the human being can understand the command of Allah and can interpret the Message of Allah into reality.
- Allah has impose some strict conditions to maintain the protection of the intellect, and keep the mind of the person all the time sound.
- The intellect is the only tool understands the law of Allah and be in position to implement it as a rules and regulation govern the entire life of human being.

Cont.

Protection of property (Al-'Mal)

- Islam has given a great concern to the wealth and property.
- The objectives of shariah in wealth are revolving around the preservation of wealth and property.

The needs (*hajiyyat*)

- The needs is the second important category in *Maqasid al-Shariah*.
- it is refer to the supporting needs and interests required in order to have smooth life.
- the life without protection of these needs leads to hardship and affect the social functions very badly.
- *Shatibi* defined it as “it consists of what is needed to attain conform and alleviate hardship.
- If it is neglected, human subjects (*mukallafin*) will suffer distress and hardship.
- the harm resulting from neglecting it cannot be equated with that relating to the fundamental universals.
- Other definition provided by Ibn Ashur who says *hayjiyyat*: “it consists of what is needed by the community for the achievement of its interest and the proper functioning of its affairs. If it is neglected, the social order will not actually collapse but will not function well. Likewise, it is not on the level of what is indispensable (*daruri*).”

Cont.

- The examples under the category of *hajiyyat* is most of the permissible in business transaction, such as the exemption of the advance payment in the Islamic business transaction (*salam*), this type of contract is allowed and granted by law in order to facilitate transactions, because this business operation is needed in the trade.

Complementary (*Tahsiniyyat*)

- The complementary or embellishments or *tahsiniyyat* refer to the interest which provide improvement in the society and lead to better life, and give progress in the moral and spiritual in the Muslim society.
- the disappearances of complementary don't affect the society function, and will not interrupt the normal process life in the society.
- The examples of this category are: voluntary (*sadaqah*), and ethical and moral rules, and others.
- Al Ghazali defined the complementary by saying: "They function as embellishing elements facilitating the achievement of the virtues and fine ways in manners and dealings".
- According to Ibn Ashur the complementary comprises what leads to the perfection of the community's condition and social order so that it leads a peaceful life and acquires the splendor and beauty of human society in sight of the other nations".

Cont.

- as result of that the nation will become an attractive model for other.
- The examination of the scholars of the various dispositions the Islamic ruling of *Shariah* result that all the *Shariah* ruling are revolving around these tree categories.
- These are the primary classification of *Maqasid al-Shariah*, however there are other classification provided by scholars depends on the nature of *Maqasid al-Shariah* and the criteria of the classification.

Pencapaian Maqasid Asy Syariah

1. Hifz al-din (agama/religion): Bagaimana bisnis menerapkan agama dikehidupan sehari-hari kepada stakeholder.
2. Hifz al-nafs (jiwa/life): Bagaimana mengelola proses internal.
3. Hifz al-‘aql (akal/intellect): Kegiatan pembelajaran apa yang harus dilakukan.
4. Hifz al-nasl (keturunan/progency): Kegiatan apa yang harus dilakukan kepada tenaga kerja
5. Hifz al-mal (harta/wealth): kegiatan apa yang harus dilakukan bagi pelanggan dan usaha apa yang harus dilakukan dalam mendapatkan dan membelanjakan harta kekayaan



Thank You
Wassalamu'alaikum
warahmatullah wabarakatuhu