



The Role of Al-Hukm in Shaping Islamic Business Behaviour

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Abstract

The integral relationship between Al-Hukm and Islamic business behavior, which will have an impact on society and the surrounding environment. Legal principles in Islam function as a moral foundation in business practices. These principles guide business actors to make decisions that reflect Islamic values, namely honesty, transparency and social responsibility. This framework encourages businesses to not only achieve financial success now, but also consider future impacts. Through Islamic business ethics, Al-Hukm will shape business behavior that is not only in line with Islamic values but also encourages economic development. This research is a qualitative-descriptive type of research. The data collection method used is documentary study, namely a method related to various existing documents about the research object. The emphasis on business ethics as part of Al-Hukm has a positive impact on the sustainability of Islamic business. Honesty, transparency and social responsibility are an inseparable part of business practices inspired by Al-Hukm principles. This is what distinguishes Islamic business as a deep ethical force. Overall, Al-Hukm's role is not only limited to regulation and compliance, but forms the essence of responsible and ethical Islamic business behavior. By understanding and respecting the principles of Al-Hukm, Islamic business becomes a transformational force that not only creates economic value but also contributes to the development of a better society. Thus, the role of Al-Hukm is not only normative but also formative in shaping the character of an empowered and ethical Islamic business.

Article Information:

Received April 19, 2025

Revised May 27, 2025

Accepted June 23, 2025

Keywords:

Al-Hukm, Islamic Business, Behaviour

INTRODUCTION

In the era of globalization and modernization that continues to grow, business and the economy play an increasingly important role in people's lives (Hoque et al., 2018). In the midst of this dynamic, Islamic principles offer a unique and holistic perspective to shape business behavior that not only prioritizes economic profits, but also justice, social welfare and moral responsibility. One of the key concepts in Islam that plays a role in shaping business behavior is Al-Hukm, which means "law" or "decision". Al-Hukm in Islam covers various aspects of law and ethics derived Al-Quran, Hadith, and ijtihad of ulama (Utomo et al., 2021).

How to cite:

Lubis, D.S., Zein, A.S., Yulianda, E. Sumarni, I (2025). *The Role of Al-Hukm in Shaping Islamic Business Behaviour*. Jiefis. *Journal of Islamic Economic and Finance Studies* 1(1), 39-47

E-ISSN:

xxxx-xxxx

Published by:

LP2M STAI Balaiselasa YPPTI Pesisir Selatan Sumatera Barat

This concept is not only limited to formal law, but also includes moral and ethical principles that guide Muslims in carrying out economic and business activities. In a business context, Al-Hukm functions as a guide to creating a fair, transparent and sustainable business environment. (Buren et al., 2020) Islamic business behavior, as a branch of Islamic economics, has a solid foundation in Al-Hukm, namely Islamic law which provides an ethical framework and guidelines for humans, including economic actions (Kumar et al., 2022). Al-Hukm includes a series of principles and rules that not only regulate the relationship between humans and Allah, but also provide the basis for just, ethical and sustainable economic action. As an integral part of Islamic law, Al-Hukm provides a moral foundation for Islamic business practices (Gursoy et al., 2017). *The Role of Al-Hukm in Shaping Islamic Business Behaviour.*

These principles guide business people to make decisions that not only generate financial profits, but also reflect the fundamental values of ethics and justice in Islamic teachings. The main role of Al-Hukm in the economic context is to form business ethics that are in line with Islamic rules. The rules explained in Al-Hukm cover aspects such as transparency, honesty and social responsibility (Wijaya et al., 2021). Businesses based on Al-Hukm are expected to not only achieve financial success but also consider social and environmental impacts. This article will explore the important role of Al-Hukm in shaping Islamic business behavior that has a positive impact on society and the surrounding environment (Ali et al., 2017). It is hoped that this article will provide deeper insight into how Islamic values can be applied in modern business practices, as well as how Al-Hukm can become a foundation for more equitable and sustainable economic development (Muslichah & Sanusi, 2019). Ultimately, it is hoped that the application of these principles can make a positive contribution not only to the Muslim community, but also to global society as a whole (Adi & Adawiyah, 2018).

METHODS

This research is a qualitative-descriptive type of research (Herzog, 2017). Descriptive qualitative research is research that aims to describe, describe and explain thoroughly the problem under study, namely an in-depth analysis of the legal rules that shape Islamic business behavior (Sari & Asmendri, 2020). Descriptive analysis is used because this research aims to solve various existing problems through efforts to tell, analyze and classify. The data collection method used is documentary study, namely a method related to various existing documents about the research object (Pun, 2017). The data analysis technique used is qualitative data analysis, through three stages, namely: data reduction, data presentation, and drawing conclusions. Data reduction is carried out after reading, studying and reviewing all sources, by summarizing the essence of the material. Next, abstraction is carried out and finally data interpretation is carried out to determine the research results (Baron, 2018).

RESULT AND DISCUSSION

In general, Islamic law is known as sharia. Islamic Sharia is a life guideline established by Allah SWT to regulate human life so that it is in accordance with the wishes of the Al-Qur'an and al-Sunnah (Razzaq et al., 2018). As a rule, Islamic law has its own principles and principles which must be understood as the starting point for implementing laws for the benefit of humanity (Adi & Adawiyah, 2018). Understanding the principles and principles of Islamic law is very important as an effort to continue to uphold Islamic sharia in accordance with current developments (Husin & Kernain, 2020).

Sharia has three main elements, namely: Al-Hakim, Mahkum fih, and Mahkum alaih. Al-Hakim etymologically means one who decides the law. Meanwhile, in terms of jurisprudence, the term al-hakim is used as a person who decides the law

in court. Meanwhile, in the study of fiqh proposals, the term judge means the party who essentially determines and makes sharia law (Ahmed et al., 2019). Therefore, the scholars agree that the source or true creator of Sharia law is Allah SWT. This is as shown by the Qur'an in Surah al-An'am verse 57. The term mahkum fih or mahkum bih is amukallaf act related to the commands of the shari' (Allah and the Messenger) which can be obligatory, haram, makruh, mandub, or mubah when it is a taklifi law (Islam & Wahab, 2021). Meanwhile, if it is in the form of wadh'i law, then sometimes it takes the form of amukallaf action against the muamalah. Meanwhile, Ushul Fiqh scholars have agreed that maḥkūm 'alaih is someone whose actions are subject to Allah's scriptures, called mukallaf.

Allah's demands can be in the form of taklifi law or waḍ'ī law. Taklifi law includes mandatory, circumcision, permissible, makruh and haram provisions. Meanwhile, waḍ'ī law includes provisions on causes, conditions and mani'. In this definition, maḥkūm 'alaih is only understood as a person (syakhṣ), not including legal entities (Jubba et al., 2021). The term mukallaf is also called maḥkūm 'alaih (subject of law). Mukallaf is a person who is deemed capable of taking legal action, both in relation to Allah's commands and His prohibitions. All legal actions taken by themukallaf will be held accountable, both in this world and in the afterlife. He will get a reward or reward if he carries out Allah's commands, and conversely, if he carries out His prohibitions he will be punished or risk sin for breaking His rules.

In Islam, people who are subject to taklif are those who are deemed capable of taking legal action. Most Usul Fiqh scholars are of the opinion that the basis of legal burdens for almukallaf is reason and understanding. In other words, a person can only be charged with the law if he is sensible and can properly understand the taklif directed at him. So people who do not or are not yet intelligent are considered unable to understand the taklif of Syar'i (Allah and His Messenger). These three elements consist of two main groups. Namely humans and legal institutions (Farani et al., 2017). Humans are subjects of law and have been regulated in the QS. Al-Jatsiyah verse 18, QS. Adz-Dzariyat verse 56, QS. Al-Baqarah verse 207 and 265. However, there are conditions that must be fulfilled by every person, including the ability and legality to act according to the law (expert) and the ability of legal subjects from adulthood to died (Tsoraya et al., 2022).

Law in Arabic is called "hukm". literally means order and technically regulate all areas of life. Therefore, in (Firdaus et al., 2021). sharia simply has several points important:

1. Laws or rules are essentially communication between humans with its creator, which is absolute. Somehow, communication Different things happen between humans or between rulers and citizens country.
2. Communication between humans and their creator is related to everything actions of legal subjects that must be obeyed based on Islamic law. For example, this verse one of them an example of communication between humans and their creator, where Allah is prohibits people from committing adultery because it is a heinous act.
3. Law can be interpreted as a guideline for doing or not doing something perform binding or non-binding actions. This too is a guideline for carrying out ijab (obligations) and nadb (recommendation). Meanwhile, instructions not to do anything binding will result in tahrīm or prohibition. However, when action it is not binding, it causes karahah or rejection.
4. The law can also provide a choice to do it or not do an action. This means that humans have the right to what they have desired or wanted as long as it does not violate the Sharia. This is the right human rights from God to enjoy

life based on Q.S. Al Maidah verse 87, Q.S Al A'raf verse 327, and Q.S. Al Mu'min verse 648. That verse shows that Allah provides provisions to enjoy life. By Therefore, Allah Swt forbids humans to prohibit anything that has been justified for humans because it is their right to enjoy this life (Khan & Law, 2018).

Based on the statement above, islamic law can be divided into two category: taklifi law and wad'i law. Hukm taklifi is a guide for do something or not do something that guides humans to do something useful or leave something that is not beneficial (Kurt et al., 2020). Therefore, hukm taklifi is divided into five stages, including: obligation (ijab), recommendation (nadb), rejection (karahah), prohibition (tahrim) and allowance (ibahah). Therefore, hukm taklifi has several main principles, such as: (Kasim, 2023). (Freedom to choose to do or not do something. Recommendation to do something because it is useful. Advice not to do something because it is not useful. Obligation to do something. Prohibition not to do something.

Then there is hukm wadi'i. It is Islamic law that underlies the reasons reasons for doing something with certain conditions and obstacles obstacles to doing something. Basically hukm taklifi and hukm wadi'i have some differences. Hukm taklifi has the aim of regulating things actions that are permitted or prohibited. Meanwhile, wad'i hukm does not have it objective. In this case wadi'i law focuses more on reason, conditions and obstacles in action. Hukm taklifi is an action that is influenced by the subject The law means they have full authority to do it or not do something. Meanwhile, wad'i law is completely unrelated to legal subjects.

Keep in mind that although legal forms are divided into two categories (hukm taklifi and hukm wad'i), both complement each other as one unit. Regarding hukm taklifi and hukm wad'i, "The aim of hukm taklifi is to creates an obligation to perform or refrain from an action or to provide a choice between performing or ignoring the action. hukm wad'i has no such purpose. the goal is to inform the subject that a certain thing is a cause, condition or obstacle for law or to explain the relationship that exists between two rules or to provides criteria for assessing whether an action taken is lawful or no. The cancellation of an act or event that is influenced by the law of taklifi is within the subject's capabilities with respect to his or her acts or omissions. Actions influenced by hukm wad'i may or may not exist in the subject's capabilities with respect to acts or omissions. With in other words, it is always possible for legal subjects to do or omit an action that is influenced by the law of taklifi, but is impossible for him to perform or omit all acts included in wad'i legal territory (Astrachan et al., 2020).

Principles of Islamic Law

Juhaya S. Praja defines that principles are a beginning; place of departure; starting point; or al-mabda. In terminology, principles are universal truths inherent in Islamic law and are the beginning or point for its development. The principles of Islamic law include general principles and certain principles. General principles are the principles of Islamic law which as a whole are universal. Specific principles are the principles of each branch of Islamic law. It is further said that there are seven general principles in Islamic law, namely:

Principle of Monotheism; This principle states that all humans are under the same decree, namely the decree of monotheism as stated in the sentence La Ilaha Illa Allah (There is no god but Allah). All creatures created by Allah have a purpose which is to worship their creator. This principle is understood from the word of Allah QS. Ali Imran Verse 64. Based on the principle of monotheism, the process and implementation of Islamic law is worship. In the sense of human devotion and

human submission to Allah SWT as a form of gratitude to Allah. In this way, there should be no conflict between humans and other creatures. The application of Islamic law is to worship and worship only Allah SWT, all human servants. This is reflected in the words of Allah in the surah Adz-Dzariyat verse 56. This principle of monotheism also requires and positions the formation of laws in accordance with what Allah revealed through the Al-Qur'an and As-Sunnah). Whoever does not judge according to Allah's law.

Principle of Justice; There are many verses that Allah commands His servants to do justice. Among them are Surah al-Maidah verse 8, Al-Hujurat verse 9. The word "al-ilah" in the Qur'an is synonymous with "al-mizan" (balance/moderation) and "al-qist" which means justice. The term justice generally means the determination of law or policy from policy makers. However, Islamic Business Behavior. Justice in Islamic law covers various aspects, in the relationship between individuals and themselves, the relationship between individuals and society, the relationship between individuals and judges and others. According to Wahbah Al-Zuhaili, Allah's commands are not intended because of their essence, because Allah does not gain benefits or harm from human immoral acts. However, this obedience is only a way to expand behavior and which can bring goodness to the individual and society .

Principle of Amar Makruf Nahi Mungkar; Islamic law encourages humans to always do good and right things so that Allah will please them. In Western law this philosophy is known as a function of social engineering. According to Hasbi Ash Shiddieqy, this principle can also be seen in the role of the state in Islam so that it is a state that cannot force people to do something according to their arbitrary wishes. What's more, it violates Islamic law. The Amar Makruf Nahi Mungkar categorization is stated to be based on revelation and juridical logical reasoning regarding the context in which a legal problem is occurring.

The principle of freedom; The principle of freedom in Islamic law requires that religion/Islamic law be conveyed not on the basis of coercion, but on the basis of explanation, demonstration, argumentation. Freedom, which is a principle of Islamic law, is freedom in a broad sense that covers various aspects, both individual and societal. Freedom of religion in Islam is guaranteed based on the principle of no compulsion in religion. Freedom of action, expression and imagination are freedoms inherent in every human individual, in fact freedom is the most important basic right. This freedom must not conflict with public interests, beliefs, etc. This is what differentiates the freedoms embraced by Islamic law from positive law, as stated in the Word of Allah in Surah Al-Baqarah verse 256.

Principle of Equality; The clearest principle of equality is found in the Constitution of Medina (al-Shahifah), namely the Islamic principle against slavery. This principle of equality is an important part of the guidance and development of Islamic law in moving and controlling society, but Islam does not mean that it does not recognize social stratification such as communism. Real proof of the principle of equality in Islamic law is the elimination of slavery and human oppression. In the context of fellow Muslims, Islam guarantees that there is no difference between Arab tribes and other tribes. In the Islamic view of law, all humans are treated equally in the eyes of the law. No one is harmed or benefited for any reason. The Apostle firmly stated "there is no difference between the two Arabs and Ajam except their practice." Islamic law has implemented what is called equality before the law since fourteen centuries ago, long before modern law. The guarantee of equality in the Al-quran is contained in Surah al-Hujarat verse 13.

Principles of al-Ta'awun; This principle means mutual cooperation between humans which is directed according to the principle of monotheism, especially in

increasing goodness and devotion. This principle requires Muslims to help each other in goodness and piety. This principle is a noble principle and contains high values and is ignored by Islamic society.

Principle of Tolerance; The principle of tolerance desired by Islam is tolerance which guarantees that the rights of Islam and its people will not be violated. In particular, tolerance can only be accepted if it does not harm the Islamic religion. Wahbah Al-Zuhaili, interprets the principle of tolerance at the level of applying the provisions of the Qur'an and Hadith which avoids narrowness and difficulties, so that a person has no reason or way to abandon the provisions of Islamic law. The scope of tolerance is not only in matters of worship but includes all provisions of Islamic law, including muamalah. Tasamuh or tolerance in Islamic law has a higher value than just harmony and peace. What is meant by tasamuh is not forcing or harming other people. Allah's warning regarding tolerance is stated in Surah al-Mumtahanah verses 8 and 9.

Basic Principles of Islamic Business

Based on the explanation of legal principles, it emphasizes that every Islamic business must incorporate the norms or values of Islamic law. In other words, every individual must also pay attention to the commands and prohibitions mentioned in the Al-Quran and As-Sunnah, because both are the main sources of Islamic law. The basis of Sharia Business is of course a period of implementing the doctrine of economic implementation in various sectors. This doctrine is certainly purposeful to create economic activity through free interests based on proposed traditions and revelations. Sharia business essentially tries to direct business people and society to fulfill their needs without harming other parties. Therefore, sharia businesses must pay attention to several main guidelines in their business activities, namely (Thalib et al., 2020). Available resources, which are considered a gift from Allah, are used efficiently and optimally in any business as it requires responsibility. Islam views property as subject to certain limitations, as long as it does not violate other people's rights. The most important business strength is teamwork in a particular business deal. Assets must be seen as productive capital to increase national production and people's welfare. Therefore, private ownership cannot only be owned by certain people (elites). Islam guarantees communal ownership and use. Islam does not support excessive profits, unfair trade, unfair treatment, discrimination and oppression. Islam requires zakat (obligatory to pay once a year according to Islamic law related to charity and religious purposes).

Islam prohibits usury; The main characteristic of sharia business is that it is free from usury. Because Islam strictly prohibits usury, gharar, maysir and fraud in business. Islam has regulated that ideal business ethical guidelines do not violate any party involved. Islam always prioritizes justice and the principle of rights and obligations in every business activity. This is based on Al-Baqarah: 188 "And do not consume each other's wealth unjustly or send it (bribe) to the rulers so that (they can help) (to) spend part of the wealth of people in sin, even though we know that it is haram".

From the perspective of economic jurisprudence, the commercial term is called *tijarah*. The goal is to seek profits that apply not only to the material, but also to its creator. Therefore, sharia business must be based on the Koran and As-Sunnah. But it includes not only the material, but also the intangible. Judging from the agreement between the parties and the law, every trading activity automatically leads to the right path (*minhaj*) and prohibition (*hudud*). Thus, it indirectly guides humans to differentiate between Halal (things that are permitted) and Haram (things that are prohibited). The aim of sharia business is to provide guidance and direction

in the right way to gain profits and achieve Allah's approval. It is regulated by Q.S. Al-Jatsiyah: 18.

Sharia business excellence is always based on the principles of Islamic law resulting from the development of appropriate business contracts. The Al-Qur'an and As-Sunnah as the main sources of Islamic regulations. The Al-Qur'an and As-Sunnah are absolute truth because they are textual (*manthuq*), designed for action and contextual (*mafhum*). Therefore, an important point in Islamic business is the application of interpretation from two sources of Islamic law, *ijtihad*, *ijma* and *qiyas*. The most important thing in business is effort because to achieve anything requires effort, as mentioned in Q.S. Al-Baqarah (267), "O you who believe, invest from the good that you earn and from what we produce for you from the earth. "And do not aim at the disabled person there from spending (from it) while you will not take it (for yourself) except with your eyes closed. And know that Allah is free from need and is Praised." This verse explains that business can be categorized as an activity to fulfill a livelihood. Sharia business can be interpreted as a human effort to earn a living through the right path, as regulated in Q.S. Al-A'raaf: 10, Q.S. Az-Zukhruf: 32, and Q.S. Al-Lail: 4 (Kasim, 2023).

Thus, global Islamic business has certain characteristics, including: (1) all human resources are gifts from God, therefore humans must use them efficiently and optimally in all activities to seek prosperity for themselves and others, (2) Islam views every personal property as covering all devices and production based on the interests of society, and (3) Islam refuses to obtain income or earnings based on invalid sources, be they buyers, sellers, wage earners, profit makers, distributors and so on. Simply put, all parties must adhere to the Al-Qur'an and the Sunnah (Habibullah, 2017).

CONCLUSION

In the context of benefits in the dynamics of Islamic business, the central role of Al-Hukm as an Islamic legal framework emerges as an important leader in shaping business behavior. This article has explored the key role of Al-Hukm in shaping Islamic business ethics and practices, providing in-depth insight into how this legal framework not only guides business decision-making but also shapes the identity of Islamic business as agents of positive change. From the background regarding Al-Hukm in Islamic economics, we understand that Islamic law is not only a set of rules but also a comprehensive moral guide. This creates a strong foundation for business behavior that not only seeks financial gain but also takes into consideration the ethics and justice inherent in Islamic teachings. The emphasis on business ethics as part of Al-Hukm has a positive impact on the sustainability of Islamic business. Honesty, transparency and social responsibility are an inseparable part of business practices inspired by Al-Hukm principles. This is what distinguishes Islamic business as a deep ethical force. Overall, Al-Hukm's role is not only limited to regulation and compliance, but forms the essence of responsible and ethical Islamic business behavior. By understanding and respecting the principles of Al-Hukm, Islamic business becomes a transformational force that not only creates economic value but also contributes to the development of a better society. Thus, the role of Al-Hukm is not only normative but also formative in shaping the character of an empowered and ethical Islamic business.

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First publication right:

Jiefis: Journal of Islamic Economic and Finance Studies

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