



INNOVATIVE: Journal Of Social Science Research

Volume 5 Nomor 1 Tahun 2025 Page 2836-2848

E-ISSN 2807-4238 and P-ISSN 2807-4246

Website: <https://j-innovative.org/index.php/Innovative>

Government Policies on The Development of Sharia Economics and Sharia Business

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Abstrak

Dalam penelitian ini memfokuskan kepada kebijakan negara terhadap pengembangan bisnis syariah yang merupakan bagian dari pada sistem ekonomi syariah yang ada. Dalam perkembangan saat ini, ekonomi syariah berkembang signifikan melalui berbagai macam kebijakan yang dikeluarkan oleh pemerintah, seperti dalam bidang perbankan, usaha kecil menengah dan berbagai macam produk bisnis syariah sebagai bentuk pemenuhan hak-hak dalam menjalankan prinsip-prinsip dasar beragama. Kebijakan negara melalui Undang-Undang Republik Indonesia Nomor 21 Tahun 2008 Tentang Perbankan Syariah merupakan bentuk kebijakan negara terhadap pengembangan bisnis syariah yang ada dalam masyarakat melalui pemenuhan regulasi dan implemmentasi bisnis syariah. Dalam penelitian ini memfokuskan kepada metode penelitian kualitatif dengan mengelola data sebagai sumber analisis.

Kata Kunci: *Kebijakan, Pemerintah, Bisnis Syariah*

Abstract

This research focuses on the state policy towards the development of Islamic business which is part of the existing Islamic economic system. In the current development, the Islamic economy is growing significantly through various policies issued by the government, such as in the field of banking, small and medium enterprises and various kinds of Islamic business products as a form of fulfillment of rights in carrying out basic religious principles. State policy through the Law of the Republic of Indonesia Number 21 of 2008 concerning Sharia Banking is a form of state policy towards the development of Islamic business in society through the fulfillment of regulations and implementation of Islamic business. This research focuses on qualitative research methods by managing data as a source of analysis.

Keywords: *Policy, Government, Sharia Business*

INTRODUCTION

In Islamic economics, the role of the government is very important because the welfare of the citizens of a country is the main indicator of its success. Islam establishes the main role of the government has an important role in this regard which includes eradicating the financial difficulties of society, providing easy access to everyone in society to develop the economy. Islamic teachings state that people have a duty to do more than only provide for their fundamental requirements and divide their money and possessions equitably. Everybody should make every effort to satisfy the needs of their families, neighbours, relatives, and society at large when feasible. Likewise, the state must ensure the provision of basic necessities and the fair distribution of income and riches since it was created to carry out certain common obligations. The state has the ability to provide this guarantee with funds and other necessary resources. Given the weaknesses and failures of the market, the general structure of economic development cannot be left to market mechanisms alone. The planning and supervision of economic development falls under the purview of the state. In the Islamic economic framework, the Authorities will use fiscal and monetary measures. interdisciplinary to control the economy (Asyari Hasan et al., 2024).

The paradigm for everyone to conduct world affairs must be Shariah-compliant in the Islamic welfare perspective. As this is a necessary condition for social harmony and growth based on justice, the state must strictly supervise any actions that jeopardize socioeconomic growth, including fraud, cheating, and injustice. The state must also ensure that laws are obeyed, protect everyone's property rights, and raise awareness among all levels of society (Asyari Hasan et al., 2024). In an effort to increase the growth of Islamic banking business activities and achieve the vision to make a significant contribution of Islamic banking to the national economy, it is important to prepare the policy direction and development of Islamic

banking, as a reference for the industry and stakeholders in carrying out activities over the next few years to achieve a shared vision of national Islamic banking development. The direction of Islamic banking development called the Indonesian Islamic Banking Roadmap has a period of 2015-2019 and presents strategic issues or fundamental problems that still occur in the Islamic banking industry, as well as policy directions and activity programs that support the achievement of policy directions and involve various stakeholders in order to build an Islamic banking industry that can make a significant contribution to the national economy based on sustainable economic growth, equitable development, financial system stability and a highly competitive Islamic banking industry.

The preparation of the Islamic Banking Roadmap also considers the characteristics of Islamic economics and banking, such as the preparation of policies that pay attention to the philosophy of the existence of Islamic banks which are driven by the desire for the availability of financial services in accordance with sharia principles by realizing a banking system that avoids the practice of interest (which is considered synonymous with usury), gambling (*maysir*) and uncertainty (*ghara'*) and other practices that are not in line with sharia principles (*haram*). In addition, the development of Islamic banking is also driven by the desire to organize economic and financial activities in accordance with sharia guidance, as well as a response to the crisis phenomenon triggered by bad behavior in economics that ignores ethics, religion and moral values, which are not only taught in Islam but also essentially exist in the teachings of other religions. Sharia principles in economics also pay attention to the interests of society and the environment, so as not to cause imbalances in the distribution of wealth and environmental damage. Therefore, policies in the field of Islamic economics which then result in an Islamic business system can encourage economic sustainability and equity for the community.

RESEARCH METHOD

Research is always being refined to overcome attitudes and ways of thinking that are not in line with the needs of the times. And it is true that attitudes of life and ways of thinking that are not in accordance with the development of the needs of the times. And it is true that the speculative-axiomatic way of life and thinking can no longer be maintained. And for those who are just learning the basics and methodology of research, it is good to be familiar with the level of thinking in the search for truth, in order to be able to distinguish between what can be said to be speculative-automatic thinking and what is scientific. (Hardani, et.al, 2020) Therefore, in research related to

government policies on Islamic economics and Islamic business using qualitative methods with primary and secondary data sources processed as analysis in this study.

RESULT AND DISCUSSION

The Paradigm of State Policy on Sharia Economics and Sharia Business

Economics etymologically comes from Greek, namely *oikos* and *nomos*. *Oikos* means household and *nomos* means rules, so economics is the rule of the household. However, economics does not only cover a family, but also a village, a city including a country. Meanwhile, economics is a science that studies individuals or communities in meeting their needs by utilizing the resources they have to achieve their goals. The relationship between economics and Islam is very closely related. Because the rules in sharia are very prominent in the economic behavior of both individuals and groups. Islamic economics is a science that studies economic problems of both individuals or groups (industry and state) which aims to meet daily needs based on Islamic values (Irwan Misbach, 2020).

Islamic economics prioritizes balance and benefit for mankind, by avoiding the usury system. Bank Indonesia made several policies in developing Islamic banking in Indonesia, namely by issuing the "Blueprint for the Development of Islamic Banking in Indonesia" in 2002. In the policy, the development of Islamic banking is directed to provide the greatest benefit to society and contribute optimally to the national economy. Therefore, the direction of national Islamic banking development always refers to other strategic plans, such as the Indonesian Banking Architecture (API), Indonesian Financial System Architecture (ASKI), as well as the National Medium-Term Development Plan (RPJMN) and the National Long-Term Development Plan (RPJPN). The policy contains the vision, mission and objectives of Islamic banking development as well as a set of strategic initiatives with clear priorities to address the main challenges and achieve the objectives within the next 10 years, namely the achievement of a significant market share of Islamic banking through deepening the role of Islamic banking in national, regional and international financial activities, in conditions of integration with other Islamic financial sectors. In the short term, national Islamic banking is more directed at serving the domestic market, whose potential is still very large. In other words, national Islamic banking must be able to become a domestic player but have international quality of service and performance (Fitri Amalia dan Rozi Andriani, 2024).

The 2019-2024 Indonesian Sharia Economic Master Plan recommends four main steps and strategies as a breakthrough and acceleration of domestic sharia economic growth.

Minister of BAPPENAS and Secretary of KNKS Bambang Brodjonegoro said the first step is strengthening the halal value chain with a focus on sectors that are considered potential and highly competitive. Second, strengthening the Islamic finance sector with a master plan that has been outlined in the previous Indonesian Sharia Financial Architecture Master Plan (MAKSI) and refined into the master plan. The third step is strengthening the Micro, Small and Medium Enterprises (MSMEs) sector as the main driver of the halal value chain. "The fourth is strengthening in the field of digital economy, especially trade (e-commerce, market place) and finance (financial technology) so that it can encourage and accelerate the achievement of other strategies". Islamic business development is needed to build social welfare for the community.

The existence of Islamic economics in Indonesia has entered a new phase in its development. Islamic economics is no longer identified with finance, especially Islamic banking, but has now begun to enter the industry or business field (sector) in the national economy. Even the activities contained in the Islamic economy can already be grouped into nine business fields which are the basis for calculating Gross Domestic Product (GDP) so far, including: (1) Agriculture, Livestock, Forestry and Fisheries; (2) Mining and Quarrying; (3) Manufacturing Industry; (4) Electricity, Gas and Clean Water; (5) Construction; (6) Trade, Hotels and Restaurants; (7) Transportation and Communication; (8) Finance, Real Estate and Corporate Services and (9) Government Services. The development of Islamic economics in the future is expected to contribute to the national economy. The role of Islamic economics needs to be continuously improved as an important and inseparable part of the national economic system. Islamic economics can be an alternative system to help Indonesia deal with the global economic slowdown (Handi Risza, 2020).

Factors driving the process of forming Islamic financial institution policies include: First, the support of policy makers (political will). The support of each element is very important to produce a decision or policy. The legislative, judicial and executive positions are a set of policy determinants and managers. Community aspirations in any form for development and community welfare need to be accommodated. In accordance with the objectives of national development, namely the development of Indonesian people as a whole and the development of Indonesian society as a whole to realize a prosperous, just and prosperous society, which is equitable, both material and spiritual based on Pancasila and the 1945 Constitution of the Republic of Indonesia. Development is a multidimensional process that involves fundamental changes in social structure, social behavior and national institutions (Michel Torado, 2014).

In policy implementation there are various obstacles. Gow and Morss in Harbani Pasolong reveal, among others (1) political, economic and environmental obstacles, (2) institutional weaknesses, (3) inability of human resources in technical and administrative fields, (4) shortcomings in technical assistance, (5) lack of decentralization and participation, (6) timing, (7) unsupportive information systems, (8) differences in goal agendas between actors, (9) balanced support (Harbani Pasolong, 2011). In order to achieve Indonesia's vision as the world's halal center in 2024, the strengthening of sharia economic and financial institutions continues. One of them is the establishment of the Regional Committee for Sharia Economics and Finance (KDEKS). KDEKS harmonizes sharia economic policies between authorities at the regional level to accelerate the development of Indonesia's sharia economy and strengthen the inclusiveness of the regional economy. It is known that Indonesia has a great opportunity to become a major player in the halal industry sector. Apart from having the largest Muslim population in the world, reaching 237 million as of December 2021, Indonesia also has great potential to produce halal products to meet domestic and international demand. The State of the Global Islamic Economy (SGIE) Report 2022 noted that Indonesia ranked second in halal food products. This shows that halal culinary consumption in Indonesia dominates the global sharia market. The Ministry of Industry projects that by 2024 Indonesia will experience an increase in consumption of halal products by 3.2 trillion. As a commitment to support Indonesia to become the center of the world's halal industry, West Sumatra Province became a pioneer in the formation of KDEKS through a Governor Regulation dated April 7, 2022. In addition, in 2022 six KDEKS were formed, namely in the Provinces of West Sumatra, South Sumatra, West Nusa Tenggara, East Java, and South Sulawesi. Optimizing the potential of every region in Indonesia is the key to achieving Indonesia's vision as the world's halal center.

In any economic system, be it a capitalist economic system or a social economic system, the government always plays an important role. It is understood that with the progress and development of each country, there is no single capitalist country in the world that embodies a pure capitalist system. In the modern world, the government has to play a greater role in organizing the economic management of the country (Resi Atna Sari Siregar, et.al, 2022). Over the last twenty years, Islamic financial institutions nationwide have continued to grow. It started with the birth of *Baitul Maal wat Tamwiil* (BMT) in 1984, which was developed by ITB students at Salman Mosque through the establishment of a financing institution based on sharia, empowered by ICMI (Indonesian Muslim Scholars Association). BMT opens cooperation with lending institutions and small-scale business borrowers by

adhering to the basic principles of economic governance in Islam. BMT continues to develop and process to advance the economy of society, because the problem of *muamalat* does develop from time to time. The birth of BMT is the forerunner of the birth of Islamic banking in Indonesia (Mul Irawan, 2018).

Islamic Banking as the first Islamic economic financial institution in Indonesia only began to be established in 1992, namely with the establishment of Bank *Muamalat* Indonesia which was present without the support of adequate legislation. In the first decade, there was no significant development in the Islamic banking sector due to the absence of a strong legal umbrella and institutional legality. Positive developments only occurred after the enactment of Law Number 10 of 1998 concerning Amendments to Law Number 7 of 1992 concerning Banking. The rapid development of Islamic Banks cannot be separated from the advantages possessed and offered by Islamic Banks (Mul Irawan, 2018).

Islamic banking as one of the national banking systems requires various supporting facilities in order to make a maximum contribution to national economic development. One of the vital supporting tools is the existence of adequate regulation in accordance with its characteristics. These arrangements are outlined in the Islamic Banking Law. The establishment of the Syariah Banking Law is a necessity and a necessity for the development of this institution. The regulation of Islamic Banking in Law No. 7 of 1992 on Banking as amended by Law No. 10 of 1998 is not specific and does not accommodate the operational characteristics of Islamic Banking, whereas, on the other hand, the growth and business volume of Islamic Banks are growing quite rapidly.

In order to ensure legal certainty for stakeholders and at the same time provide confidence to the public in using Islamic Banking products and services, this Islamic Banking Law regulates the type of business, sharia implementation provisions, business feasibility, distribution of funds, and prohibitions for Islamic Banks and UUS which are part of Conventional Commercial Banks. Meanwhile, to provide confidence to the public who still doubt the sharia of Islamic Banking operations so far, business activities that are not contrary to Sharia Principles are also regulated, including business activities that do not contain elements of usury, *maisir*, *gharar*, *haram*, and *zalim*.

Islamic sharia principles in the management of wealth emphasize the balance between individual and community interests. Assets must be utilized for productive things, especially investment activities which are the foundation of economic activity in society. Not everyone is able to directly invest their wealth to generate profits. Therefore, an institution is needed that connects the community of fund owners and entrepreneurs who need funds (fund

managers). One form of intermediary institution is a bank whose business activities are based on sharia principles. Islamic economics at the application level cannot be separated from the regulations that apply in a region, in this case in Indonesia. The establishment of a regulation is closely related to local government policy and the attitude of the community towards the object of the regulation. With the birth of the Islamic economic system in Indonesia driven by the Indonesian Ulema Council, it has encouraged the government to formulate regulations to be used as a juridical footing in its operations. With the regulation, it is not only used as a juridical basis, but has encouraged the growth and development of Islamic Economic institutions (Dadan Muttaqien, 2008).

There are several basic principles that form the basis for the Islamic economic system, including: (1) the principle of halal or haram (right or wrong). Only Allah can determine the halal or haram of an object or activity, humans follow it by referring to the Qur'an and Sunnah of the Apostle. (2) The principle of usefulness (use, utility). Humans are fully able to utilize the favors granted by Allah, by paying attention to the signs that have been set. (3) The principle of simplicity (moderation). In carrying out economic activities, such as consuming and owning goods should not be excessive. (4) The principle of economic freedom (economic freedom). Everyone is free to carry out economic activities and undergo any profession within the established corridors. (5) the principle of economic justice. This principle must animate every economic activity carried out, such as: production, consumption, distribution, exchange, and trade (Achjar Iljas, 2004).

The number of Muslim population in the world has reached 1.84 billion people in 2017 and is expected to continue to increase to 27.5% of the total world population by 2023. The total spending of the global Muslim community in 2018 in various sectors of the halal economy, such as food and beverages, halal pharmaceuticals and cosmetics, halal fashion, halal tourism, halal media and entertainment, and Islamic finance, reached US\$2.1 trillion (0.27% of total world GDP). The figure is expected to continue to increase in the following year to reach US\$3 trillion by 2023. This is in line with the growth of the Muslim population in the world (Dewi Wuryandani, 2019).

Indonesia is a country with the largest Muslim population. However, it is unfortunate that as the country with the largest Muslim population in the world, Indonesia is only a market destination for halal products from abroad and has not become an important player in the industry as a whole. Based on The State of the Global Islamic Economy Report 2018-2019, Indonesia ranks as the 10th largest country implementing the Islamic economy (Table 1). Indonesia has the largest Muslim population in the world, spending a total of USD218.8

billion across all economic sectors in 2017, with 215 million Muslims (13% of the global Muslim population in 2015). Indonesia's consumption level for halal food in 2017 amounted to USD170 billion or equivalent to IDR2,465 trillion (exchange rate of IDR14,500 per USD) (Dewi Wuryandani, 2019).

In reality, the Islamic financial market in Indonesia has a higher level of complexity due to its retail-oriented and specialized segment. The structure of this market consists of several layers with poorly defined boundaries, which are overlapping and interdependent, resulting in a lack of synchronization between sectors. Indonesia has more regulations related to Islamic finance than other countries, but these regulations are scattered and sometimes divided among many regulators. The Islamic finance industry in Indonesia has achieved by developing certain aspects that give it a unique shape in the world. Prominent features of Indonesia's Islamic finance industry include a unique model of sharia governance, retail sukuk and the world's first sharia online securities trading system (SOTS), Sharia People's Financing Banks, and informal sharia microfinance institutions called BMT (*Baitul Maal wat Tamwil*) (Abdul Rachman, 2022).

The Islamic economic system is the parent of all economic activities and models with Islamic sharia. Because as a system, in addition to carrying values, principles, directions and objectives that must be well understood by economic actors and related parties in Islamic economics-based operations, it must also be applied in reality into economic models as a real translation of the values, principles, directions and objectives. Herein lies the fundamental difference between the Islamic economic system and the conventional economic system, both capitalistic and socialistic based on interest. Sharia economy is a people's economy with justice, not actualizing a conglomerate economy like a capitalist economy that is oriented towards investors / shareholders. And not an authoritarian economy like a socialist economy that is oriented towards absolute government policies in regulating all sides of economic life. Islamic economics is a fair economy characterized by justice in production, distribution and consumption. The crisis can be overcome if the economic concept is Islamic, the economic actors are Islamic, and the work culture is Islamic. This is because Islam is *rahmatan lil 'alamin* (mercy for all nature) and Islamic economics (sharia economics) is also a *rahmatan lil 'alamin* economy that is full of values (ethics, morals, morals, and faith) that surround it as a process towards prosperity and welfare. Islamic economics rejects the practice of *maysir* (gambling) transactions, *gharar* (uncertainty), haram substances, usury (money lending), and transactions that are *bathil* (MAGHRIB). In Islamic economics, the prevailing theory is the Economic Value of Time not the Time Value

of money like conventional economics, this implies that the function of money in Islamic economics is only in measuring prices and means of exchange not as a commodity.

In the Indonesian context, sustainable development efforts have been integrated into various national policies and programs. However, its implementation still faces significant challenges, including social inequality, environmental damage and economic injustice. Therefore, it is important to continue developing a holistic and inclusive development approach, in accordance with Islamic principles that prioritize the balance between worldly and *ukhrawi* needs. The involvement of all parties, including the government, private sector and the general public, is crucial in realizing sustainable development. Every individual has a role and responsibility in maintaining environmental and social balance. In this case, education and environmental awareness play an important role in shaping a generation that cares and is responsible for the sustainability of natural resources. Through collaboration and joint commitment, it is hoped that sustainable development can be truly realized, not only on paper, but also in daily reality. Thus, future generations can enjoy a better life without sacrificing the ecosystems that support their lives. The principle of sustainable development must be the basis of every policy and decision, both at the local and global levels (Usman, et.al, 2024).

To allow the Islamic economic school of thought to accommodate modifications with this eclectic-methodological nature, its supporters try to put forward various logical arguments. Among them by Mohammad Umer Chapra and Abdel Rahman Yousri Ahmed. Islamic economics can apply conventional economic theories if these theories do not conflict with the structure of the logic of Islamic views. In addition, Islamic economics as a unique combination of sharia principles and conventional economics. As long as the concepts and principles of conventional economics do not conflict with sharia principles, they can be adapted in Islamic economics (Azharsyah Ibrahim et al., 2021).

The basis of Islamic economics is based on the principles of Islamic teachings which include the concept of tauhid (oneness of God), *aqidah* (belief), and sharia (Islamic law). Islamic economics aims to create a just, fair, and abundant society, and maintain a balance between material and spiritual needs. First of all, the concept of tauhid in Islam emphasizes that everything in this world belongs to Allah, and humans are caliphs (managers) who are responsible for the assets and resources given to them. Therefore, this understanding emphasizes the importance of carrying out economic activities with full responsibility, justice, and siding with the public interest. Second, Islamic *aqidah* teaches the importance of ethics and morality in everyday life, including in the economic aspect. Islam teaches the

importance of maintaining honesty, justice, and honesty in all aspects of life, including in economic transactions. Islam prohibits usury (interest) and forbids economic practices that are detrimental and create injustice, such as excessive speculation, monopoly, and fraud. Third, Islamic sharia provides a comprehensive framework for regulating economic life. The principles of sharia, such as the prohibition of *riba*, *gharar* (uncertainty or excessive speculation), and *maysir* (gambling), are intended to protect society from harmful and unethical practices. The principles of sharia also encourage the development of an inclusive, sustainable, and common-interest oriented economy (Al Haq Kamal, et.al., 2024). Therefore, the basis of Islamic economics is mutual assistance.

CONCLUSION

State policies in various aspects of Islamic/sharia economics and sharia business have encouraged the development of the Muslim economy based on mutual assistance. One empirical fact in 2008, the birth of the sharia banking system, namely Law of the Republic of Indonesia Number 21 of 2008 Concerning Sharia Banking encourages the system. Sharia principles also encourage the development of an inclusive, sustainable, and mutually beneficial economy. These basic principles build an economic system that can make the order of people's lives better on the basis of mutual assistance. In addition to sharia banking, the government encourages halal products for all business products, this is an effort to provide certainty and protection for Muslims.

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