

## **Maqashid Sharia Analysis of Change From Customers for Donation: a Case Study in Fajar Toserba, Jalaksana District**

**Alfan Syafi'i<sup>1</sup>, Ega Kusuma Dewi<sup>2</sup>**

*1 Sekolah Tinggi Ilmu Syariah Husnul Khotimah (STISHK) Lecturer : Email: [stishusnulhotimah@gmail.com](mailto:stishusnulhotimah@gmail.com)*

*2 Sekolah Tinggi Ilmu Syariah Husnul Khotimah (STISHK) Kuningan Email : [khusnulhotimah1106@gmail.com](mailto:khusnulhotimah1106@gmail.com)*

**ABSTRACT.** The Qur'an and Islamic legal literature do not mention the word Islamic law as one of the terms in the Qur'an is the word syarī'ah, fiqh, Allah's law, and the same root with it. The term Islamic law is a translation of Islamic Law in western literature. If traced to its roots, then the meaning of Islamic law is "control or bridle of the horse", what is meant here is that in essence the law exists to regulate people who are subject to the law itself. Other meanings derived from the root word hakama include preventing injustice, preventing tyranny, preventing persecution, and rejecting other mafsadat. The research on Maqashid Syariah analysis of the ask foral of change for donations (a case study in Fajar Toserba, Jalaksana District) aims to understand how the practice of asking for change for donations is, how the distribution of these donations when they have been collected, and how Muqashid Syariah analyzes the practice of asking for change for donations. donation. This study uses a descriptive qualitative method because it describes the data in the form of a written description. Types and sources of data in this study using primary and secondary data. Data collection techniques through interviews and observations. The results of this study are on the ask foral of change for donations at Fajar Toserba Jalaksana when buying and selling transactions. As for the practice, when buying and selling at Fajar occurs, if there is odd nominal money, it is directly distributed to the social fund in the payment receipt. Maqashid Sharia analysis on this matter can be concluded that the five main points or al-mabaadi 'al-khamsyah have been fulfilled. customers for change for donations and distributing the donation money have fulfilled the purpose of Islamic law itself, namely Maqashi Syariah. Although there are elements that should not be done, in this case, the benefits are greater.

*Keywords: Muqashid Syariah, Ask Foral of Money, Donations*

### **1. INTRODUCTION**

The Qur'an and Islamic legal literature do not mention the word Islamic law as one of the terms in the Qur'an is the word syarī'ah, fiqh, Allah's law, and the same root with it. The term Islamic law is a translation of Islamic

Law in western literature. If traced to its roots, then the meaning of Islamic law is "control or bridle of the horse", what is meant here is that essentially the law exists to regulate people who are subject to the law itself. Other meanings that come from the root of the word law, namely hakama include preventing injustice, preventing injustice, preventing persecution, and rejecting other mafsadat. (Rohidin, 2016)

Islam is a religion that regulates all aspects of human life, in order to reach prosperity on earth to achieve world happiness, and hereafter. Islam is a perfect and comprehensive treatise that can be a guide for humans to live all activities of life. Islam does not regulate only big matters, as it has clear rules on small matters. (Husin, 2014) Because of its perfection, Islam is conveyed to regulate all aspects, both in terms of worshiping Allah SWT and from the aspect of Muamalah among humans. "Muamalah are all regulations created by Allah to regulate human relations with humans in life and life". Muamalah is closely related to the interaction between one another. In Islam, there is Fiqh Muamalah as a reference in muamalah for other human beings. The principles are upheld so that no one is oppressed from any circle. (Pakdosen, 2021)

The word fiqh etymologically means understanding, knowing, and implementing. This understanding is meant that to explore a problem requires the mobilization of the potential of reason. The meaning of fiqh in this language can be understood from the word of God in the Qur'an, including Surah Hud verse 91 and Surah al-An'am verse 65 (QS. 11: 91 and 6: 65) which reads as follows: (Rohidin, 2016)

*"They say: 'O Shu'a you don't understand much, and verily We see you as a weakling among us: if it were not for your family we would have stoned you, while you are not a person of authority with us.'" (Al-Quran, 2005)*

According to ushul fiqh scholars, fiqh is knowledge of Islamic law that is 'amaliah' through detailed arguments. Meanwhile, fiqh scholars define fiqh as a set of 'amaliah' laws that are prescribed by Islam. For the benefit of mankind in general, mu'amalah fiqh is a solution to various existing economic problems. Fiqh muamalah will always be attached to people's lives such as staple food which is a community need because humans cannot live alone without the help of others. In the past, the economy was only limited to buying and selling transactions carried out directly between traders and buyers. They carried out the transaction at that time at the will of the two. However, in its development, there are now many developments of transaction models in the economy following the times. (Sudiarti, 2018)

Given the increasingly advanced times, various transactions now have various systems that have developed and are increasingly complicated. Due to this situation, there is a need for a review of the contracts which are also increasingly diverse. In the practice of buying and selling carried out by several supermarkets or minimarkets in the field, it is found that if there are buyers who buy goods at the supermarket or minimarket and then pay more money if there is change with a nominal value of several rupiahs, the seller works around

this so that there is no impression of the money coming in into the minimarket's treasury, namely by collaborating with certain social institutions or foundations which are then included in the infaq box for the foundation. (Setianto, 2020).

In Islam, efforts to overcome problems must have a clear goal. (Miftakhuddin, Aniroh, et al., 2021) Maqashid Shariah proposed by Imam al-Ghazali states that maqashid shariah must be centered and based on five main benefits, namely: the benefit of religion (hifz al-diin), the benefit of the soul (hifz al-nafs), the benefit of reason (hifz al-aql), the benefit of offspring (hifz al-nasl) and the benefit of property (hifz al-maal). (Al-Ghazali, 1412)

Fajar Department Store is one supermarket that has branches everywhere. One of them is in Padamenak Village, Jalaksana District, Kuningan Regency, West Java. Fajar Toserba is one of the supermarkets that applies the distribution of donations from customers' change. In practice, the items at Fajar Toserba Jalaksana have price tags. Buyers simply choose the goods and pay for them at the cashier. Most accumulated purchases are a price that is difficult to return to buyers. After selecting the goods, the buyer pays at the cashier. An example of a subtotal of all items is Rp. 115.750, -. The buyer pays Rp. 120,000, -, to return the money, of course, it is difficult because it is rare for Rp. 50 coins to be circulated. The Rp 50 money is then directly included and printed on the purchase receipt as a social fund.

In the practice of transactions with change for donations at Fajar Toserba Jalaksana and the buyer giving the change, this includes infaq / shodaqoh in Muamalah Fiqh. However, it is unclear who received the donation. Is it true that the change collected for donations has been distributed to the recipients? It is not clear who the recipients of the donation are. "Is it true that there is a willingness between the two?" It is possible for buyers not to give their change because the minimarket/supermarket is not able to provide change for buyers. The practice of for change from customers for donations creates a problem of uncertainty, including the distribution of these donations. To whom the donation will be distributed and the person who makes the donation may be unwilling or not sincere. This is contrary to Sunnah fiqh. According to Sayyid Sabiq (2008) because when someone is going to give infaq, there should be no forced element, it must be based on the pleasure of the infaq giver, the infaq giver is not limited in his rights because of something, and there is clarity regarding the recipient of the infaq. (Fachrian et al., 2020)

Maslahat in al-Ghazali's view is to maintain the objectives of the Shari'a (Maqashid Shariah). Al-Ghazali stated that maqashid shariah is reflected in five main things, namely protecting religion, soul, mind, lineage and property. The practice that occurs at Fajar Toserba Jalaksana is contrary to the benefit of property (hifz al-maal), where there are property rights that should be returned to the buyer/consumer, directly allocated to social funds on payment receipts even though the amount of ask foral of change for nominal donations is small. (Musolli, 2018)

Research on the ask foral of money back for donations has been carried out by several previous researchers from the Perspective of the Law, the Consumer Protection Act, Fiqh, Business Ethics, and a general review of Islamic law, including Fachrian et al., (2020), Setianto (2020), Reza (2020), Syahputra (2020), and Pratiwi (2020). They examine the review of Islamic law on the ask foral of change for donations by taking case studies in different places, namely Fachrian et al. studied at Alfamart Gunung Batu, Maulana (2020) took a case study at Indomaret Lintas Adirejo Pekalongan, and Pratiwi (2020) researched in Indomaret, Palopo City District and Indomaret Perumnas. Meanwhile, Syahputra (2020) studied Consumer Protection for Money Change (Yogyakarta). Supriadi (2020) examines the ask foral of change from the perspective of Islamic Business Ethics. (Case Study of Alfamart Almahera II).

Based on the exposure of several previous studies on the ask foral of change for donations, research using the Maqashid Syariah concept study has not been studied by previous researchers. Therefore, the researcher will make this research with the title "Analysis of Maqashid Syariah Against Ask foral of Change for Donations (Case Study at FAJAR TOSERBA Kec. Jalaksana)".

## **2. LITERATURE REVIEW**

Asking for change for donations at Fajar convenience store Jalaksana in this research case uses the Maqashid Sharia theory, namely the Maqashid Sharia theory which deals with things that are primary human needs (Maqashid Dharuriyat). According to the scholars there are five concepts of dharuriyat: maintaining religion (hifdzu al-diin), soul (hifdzu al-nafs), reason (hifdz al-aql), offspring (hifdz al-nasab), and property (hifdz al-maal) (Al-Juwaini, 1992).

According to al-Ghazali, *maslahah* in Islamic law is anything that is intended to maintain the objectives of the Shari'a which is essentially summarized in *al-mabaadi' al-khamsyah*, namely the protection of religion (hifzd al-din), soul (hifzd al-nafs) mind. (hifzd -'aql), descendants (hifdz al-nasl), and property (hifzd al-maal). Every law that contains the aim of maintaining these five things is called *maslahat* (Al Ghazali, 1990).

### **1. Hifdzu ad-din (Maintaining Religion)**

Islam protects rights and freedoms, and the first freedom is freedom of belief and worship. Freedom in choosing one's faith is highly valued by Islam. But for people who embrace Islam, keeping everything about religion is the number one priority. If there is something that contradicts and shifts religious values, then upholding the purity of sharia law is very important (Jauhar, 2005).

### **2. Hifdzu an-nas (Maintaining the Soul) Nurturing the soul**

is the second goal of Islamic law, therefore Islamic law is obligated to maintain human rights to live and maintain their lives. So everything that

endangers the human life in its survival is prohibited. This is in terms of giving human rights themselves (Jauhar, 2005).

### 3. Maintaining Intellect

Humans are the best creatures created by Allah because they have reason. To maintain this sense, Islam has prohibited drinking Khomr (a type of hard liquor) and anything that intoxicates and punishes people who drink it or use any type that can damage the mind (Jauhar, 2005).

### 4. Hifdzu al-nasab (Maintaining Descendants)

To maintain offspring, Islam has arranged marriage and forbids adultery. QS, al-Isra' verse 32:

لَا إِلَهَ إِلَّا أَنِ اجْتَنِبُوا زَنَاحًا

*"And do not approach adultery; Verily, adultery is an abominable act and a bad way"* (Al-Qur'an, 2005).

In the translation of Ibn Kathir's interpretation, committing adultery is the worst thing. Allah SWT forbids his servant to commit adultery, as well as approaching him and doing things that encourage and cause adultery (Ghoffar et al., 2004).

### 5. Hifdzu al-maal (Maintaining property)

Property (mal) in terms of language (etymologically) is called al-mal, which comes from the word maalayamiilu-mailan (مال-يمل-ميل) which means inclined, inclined and tilted (Suhendi, 2008) ). Terminologically, property is everything that pleases humans and they maintain, both in material form and in benefits (Hasan, 2003). Al-Syarbaini argues that property is something that has value and people who damage it will be obliged to pay compensation (Asy-Syarbaini, 1978).

Assets are deposits that are managed in a planned manner with the hope of reducing poverty, meeting the primary needs of each individual, so that life feels safe and boosts the realization of an even distribution of income and comprehensive wealth. Property extension is included in the principles of maqashid sharia in order to achieve the core of benefit (Rohmatun & Yuliana, 2020).

Assets in terms of type can be divided into two, First Manqul assets, namely assets that can be moved from one place to another, either remaining in their original form and condition or changing their shape and condition with the transfer/change. Examples are money, merchandise, various animals, vehicles, and others. Second, ghairu manqul assets, namely assets that cannot be moved and carried from one place to another. For example, land and buildings on it (Huda, 2011).

Wealth actually belongs to Allah. But Islam also recognizes a person's personal rights. Islam stipulates that there should be no clashes between each

other. For this reason, Islam requires regulations regarding mu'amalat such as buying and selling, renting, pawning and others (Syah, 1992).

In the opinion of Ahmad Al-Mursi Husain Jauhar, there are important conditions that must be considered in maintaining property or maintaining property (hifzul maal), including the following.

1. Requires halal property, meaning that the assets collected are lawful assets of the type and method of obtaining them, meaning that the source of property income is not in a false and forbidden way.
2. Wealth is assigned to lawful aspects.
3. Fulfilling its obligations from the assets obtained, such as paying zakat (Jauhar, 2009).

The main things that need to be considered in maintaining/maintaining assets in muamalah activities, namely; 1) recording; 2) testimony; and 3) the inclusion of documentation. This is stated in the word of Allah SWT in QS. al-Baqarah verse 282:

يَا أَيُّهَا الَّذِينَ ءَامَنُوا إِذَا تَدَايَنْتُمْ بِدِينٍ إِلَى أَجَلٍ مُّسْتَقِيمٍ أَن يَمْلِكِ هُوَ فَلَیْمَلْ وَلِيهِ بِالْعَدْلِ وَأَشْهَدُوا بِالْبَيِّنَاتِ لَا ضَرَرَ أَقْلَتَيْنِ لَكُمْ أَحَ لَا أَلَّا إِيْتَعْتُمْ لَا آتِبَ لَا لَوْ أَنَّ اللَّهَ لَمَكُمُ اللَّهُ لَ عَلِيمٌ

*"O you who believe, if you do not want to be in cash for the appointed time. And let a writer among you write it right. And let the writer not be reluctant to write it down as Allah taught it, so let him write, and let the debtor obey (what is to be written), and let him fear Allah his Lord, and let him not reduce anything from his debt. If the debtor is a person who is weak in mind or weak (his condition) or he himself is unable to enforce it, then his guardian should be honest about it. And bear witness with two witnesses from the men (among you). if there are not two men, then (permissible) a man and two women from the witnesses you are pleased with, so that if one forgets, the other reminds him. Do not let the witnesses be reluctant (to testify) when they are summoned; And do not get tired of writing the debt, both small and large until the deadline for paying it. That is more just in the sight of Allah and strengthens your testimony and is closer to not (causing) your doubts. (Write your mu'amalah), unless it is a cash trade that you carry out among yourselves, then there is no sin for you, (if) you do not write it down. And bear witness when you buy and sell; And let not the writer and the witness make it difficult for each other. If you do (that is), then indeed it is an act of disobedience to you. And fear Allah; God teaches you; And Allah knows all things." (Surat al-Baqarah [2]: 282).*

Tafsir Ibn Kathir explains that if you want to hold a muamalah in cash, you should write it down, because the record maintains the number of goods and the period of payment and is more assertive for people who witness it. It must also be fair and just. In other words, it is not biased in its writing, nor does it write but what has been agreed upon by both parties, without adding

or subtracting from it. This verse also commands the existence of testimony in addition to writing. Ibn Abbas said that this verse was revealed by greeting transactions which are limited to a certain time (Ghoffar et al., 2004).

Recording will eliminate doubts between the transacting parties, provide a clear explanation in the event of a dispute, avoid negligence and fraud, and bind the transacting parties to their rights and obligations (Ghoffar et al., 2004). By witnessing, maintaining assets in Islamic economics is meant to protect transaction activities from fraud, eliminate doubts from reduced rights to transaction activities, and function to strengthen information between the transacting parties. Meanwhile, with the inclusion of documentation, maintaining property in Islamic economics is meant to make it as a reinforcement or legal evidence, maintain transaction cases that have passed a long time ago, and become a guide for the transacting party from disobedience and fraud. (Aprianto, 2017).

According to Al-Syatibi, there is a core point of *maqâshid syarī'ah* or the purpose of law to realize the benefit of mankind. He argues that God's law always has wisdom from its provisions. This statement confirms that the goal or result achieved by *maqasid syarī'ah* is the achievement of benefit (Al-Syathibi, 2004).

### **3. RESEARCH METHODOLOGY**

#### **A. Methods**

In this study the authors used descriptive qualitative research methods because it will describe the data in the form of a written description. This method has been used by previous researchers Reza (2020) using qualitative methods. As for the data collection process, the author uses the Interpretive Method used in terms of the data collection process when the research was carried out. Observations and interviews will be conducted to meet the needs of research data.

#### **B. Types and Sources of**

1. Data Primary data. Primary data is data generated from primary sources. Primary source is a term used in a number of disciplines to describe the source material closest to the person, information, period, or idea being studied. Primary data is obtained directly from research sources by providing an explanation of how the practice of asking for change for donations. (Mustari & Rahman, 2012). The author obtained primary data directly by observation, interviews with individuals involved in the process of asking for change for donations at Fajar Toserba Jalaksana.
2. Secondary data. Secondary data are existing sources that must be checked first. There are many useful things to do by making a foothold on the sources that already exist, even though their validity and existence vary in quality. These sources are called secondary sources. (Mustari & Rahman, 2012). The author collects secondary data from several sources, including

the Qur'an, hadith, books, fiqh books, theses, journals, websites, internet and other supporting literature.

### **C. Data Collection Techniques**

In this study the author uses several methods to obtain data, the methods used include:

1. Interview. Interview is a data collection technique that is carried out face-to-face and direct question and answer between data collectors and researchers to informants or data sources (Mustari & Rahman, 2012). Interviews were conducted in two ways, namely free and programmed interviews. Free interviews were conducted with several informants and resource persons to obtain general data. Free interviews have been conducted since the researcher entered the field. Programmed interviews were conducted to explore data that were really needed in research (Subandi, 2011). The author's free interview was conducted with the buyers of Fajar Toserba Jalaksana and the staff or cashiers on duty. While the programmed interview, the author will choose resource persons who have the required data, such as data on distribution of donations or others.
2. Observation. Observation is observing the object of research. Observation can be done in two ways, namely first direct observation and indirect observation. Direct observation researchers observe the object. Indirect observations can be made through recordings at the time of research or those that have been recorded in the past, especially those that have been stored as library collections which include a collection of books and/or non-books (Subandi, 2011). That is doing (observation) directly at the research location. This technique is carried out directly at the place where the practice to be studied occurs, namely at Fajar Toserba Jalaksana.

### **D. Data Analysis Data**

Analysis in qualitative research is a process of systematically tracking and arranging field notes that have been obtained from interviews, observations and other materials so that researchers can report research results. Data analysis includes activities of tracking, organizing, solving and synthesizing, searching for patterns and determining which parts will be reported according to the research focus. Data analysis is carried out continuously, continuously and repeatedly. (Firman, 2018)

The data analysis in this study was carried out qualitatively in a descriptive way, namely describing the problems studied and then discussing them using a review of Islamic law in fiqh sunnah regarding ask forals for donations. Data analysis will be carried out on the results of interviews or observations of the practice of asking for donations at Fajar Toserba Jalaksana. At the time of the interview, the researcher had conducted an analysis of the answers interviewed after the analysis felt unsatisfactory, then the researcher



would continue the question again until a certain stage was obtained data that was considered credible.

#### **4. RESULT AND DISCUSSION**

##### **A. The Sales System at Fajar Toserba Jalaksana**

Fajar Toserba applies a sales system like supermarkets in general. All items are neatly arranged in their respective places. Buyers only need to choose the goods to be purchased, then payment through the cashier by recording through the computer system. Fajar has two or three cashiers in each sales area guarded by employees.

The system implemented by Fajar Toserba Jalaksana is cash payment (in cash) or paying using an ATM card. Only Banks that have collaborated with Fajar can use their ATM cards to be used as shopping payment methods.

##### **B. Member Card System**

###### **1. How to Get Fajar Member Card**

- a. Every purchase of Rp. 150.000,- entitled to get MEMBER CARD FAJAR convenience store for free.
- b. Consumers show receipts of purchases to the CSO (Customer Service) section for Member registration.
- c. Fill in the member card application form completely and submit it to the customer service department for processing.

###### **2. Documents Required to Get Fajar Member Card**

- a. KTP / SIM
- b. Purchase receipt worth Rp. 150.000,-

###### **3. General Provisions**

- a. Fajar Member Card is a discount card (collection of points) specifically for Fajar Toserba consumers and is not a Debit / Credit card.
- b. Show your Fajar Member Card to the cashier before you make a transaction.
- c. Every time you use your Fajar Member Card, you will get Points with prizes immediately. Redemption of prizes is calculated from the points you earn.
- d. Member cards will receive a 5% discount on fashion per item, except for baby items, food items, soap, furniture, etc., get 1% per item. Membership card is valid for 1 year only.

###### **4. Points**

- a. Every purchase of both Fashion and Supermarket products worth a minimum of IDR 10,000 is entitled to 1 point, multiples apply.
- b. Redemption of reward points at Fajar Regional East (Fajar Luragung Department Store, Fajar Ciawi Department Store, Fajar Oleced Department Store, Fajar Mandalajaya Department Store and Ummat Cijoho Mini Market.) This

###### **5. Fajar Member Card is Temporarily Valid at:**

- a. Fajar Luragung
- b. Department Store Fajar CiawiGebang
- c. Department StoreFajar Sidaraja Department Store ( Oleced)
- d. Toserba Fajar Mandalajaya
- e. Mini Market Ummat Cijoho (Front of Campus 1 UNIKU)Change

### **C. The process of Asking for Donations at the Fajar Toserba Store Jalaksana**

Muamalah is an activity that has complex problems, because it involves the actions and freedom of the perpetrators as long as they do not violate the provisions of Shari'a law. Muamalah involves rights and obligations between one another that must be fulfilled so that no party is oppressed or harmed.

The development of science and knowledge, the problems in the scope of muamalah are also increasingly complex, the problems that arise include the contract of how the buyer's excess money is in the buying and selling contract in the modern market system in several supermarkets and minimarkets that exist today.

The process of asking for change for donations from buyers that occurs at Fajar Toserba Jalaksana occurs when the buyer wants to make payment for the goods to be purchased at the Fajar Toserba Jalaksana cashier. The refund that should be paid in full by the cashier is not done, because it is channeled into social funds or donations.

At the time of payment, this problem of change often occurs. Kasih Fajar Toserba Jalaksana has calculated all the total costs that must be paid by the buyer. If there is change under Rp. 100,- the cashier immediately allocates social funds to the payment receipt so there is no need to return money whose fractions are difficult to return. However, if the total amount of spending there is no change below Rp. 100, then there will be no ask foral of social funds. Because nowadays there are no denominations under Rp. 100,-, and it becomes a very difficult thing to overcome.

According to the results of an interview with Teh Putri as the buyer, it was concluded that the cashier did not ask the buyer for permission about the small amount of change to be distributed or allocated for social funds. Because of that, Teh Putri said that until she didn't realize there was a small amount of change for donations, she thought that change for donations only happened at Indomaret or Alfamart. This may be due to the fact that it is rare to find buyers who return to check their receipts and find out about social funds. If there are buyers who look back at their receipts, most of them don't complain because the numbers are very small.

When Teh Putri was interviewed about her pleasure and sincerity regarding the change for the small nominal donation, she expressed her sincerity even though she did not know at the beginning that there were social funds. The interview with Ka Iswatun Hasanah as the buyer also stated that he was very sincere about the change that was allocated to the social fund.

However, sometimes the cashier asks the buyer for permission regarding his change whether he is willing to donate or not. Like the results of an interview with Ka Natasha who stated that he had been asked for approval regarding the social fund. The cashier asks with a sentence like "Ka, do you have change for less than Rp. 100, - would you like to donate it?". Teh Natahsa as a buyer answered "Yes, you can please". At that time the cashier only asked for approval but did not explain the place or how the donation was distributed.

According to Ms. Dian Purnama's report from the data provided, the process of collecting the collected donations is when the shop is about to close, the collected social funds are ask for from computer data, then the social funds are separated and collected. So that after that it can be easily distributed to those in need.

According to Ka Desy as the cashier of Fajar Toserba Jalaksana, the distribution of social funds is given with zakat funds to those in need within a period of every month or every year. Interview with another employee, namely Iyan, stated that the distribution of social funds is usually to the poor, orphans in the form of compensation or given to people in need.

#### **D. Sharia Maqashid Analysis of Ask foral of Change for Donations (Case Study at FAJAR TOSERBA Kec. Jalaksana)**

Fajar Toserba Jalaksana is a convenient place for shopping, in addition to providing complete items, comfortable facilities, Islamic nuances, the prices offered to buyers are also relatively affordable. Many people choose to shop at Fajar Toserba compared to others.

Many consumers shop at Fajar Jalaksana department store, the more transactions that occur at Fajar Jalaksana convenience store, the bigger benefits obtained. Therefore, customer service must be maintained. There are many types of services provided by Fajar Toserba Jalaksana, one of which is payment services in transactions.

For the sake of good service to its consumers, Fajar Toserba implements a social fund for change under Rp. 100, -. This indicates that Fajar's party does not want any of the rights of others to be taken, even though it is counted very little.

But in terms of buying and selling with consumers during transactions, Fajar's party has carried out in accordance with the pillars of buying and selling. Even though there is no direct lafadz of the sale and purchase agreement. According to Abdu al-Rahman, understanding Shigat can be with words or deeds. When someone takes the goods being sold, then gives money to the seller and doesn't say anything, it can be understood as Shigat. (Apipudin, 2016)

And if you look closely, asking for the change without asking for approval can cause the contract to be invalid or invalid because there is no Shigat (statement of qabul consent) between Fajar and the buyer. According to the majority of Shigat scholars, it is a pillar of the contract that must be fulfilled

(Sahroni & Hasanudin, 2016). This is in accordance with what was stated by Maulana (2020) in his research that Transactions of the remaining money returned by being donated which are carried out without *shighat* (pronunciation or consent and acceptance) are not allowed based on the following paragraph.

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبَاطِلِ إِلَّا أَنْ تَكُونَ تِجَارَةً عَنْ تَرَاضٍ مِنْكُمْ وَلَا تَقْتُلُوا أَنْفُسَكُمْ إِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا

It means :

"O you who believe, do not eat each other's property in a false way, except by means of commerce which is carried out with mutual consent between you. And do not kill yourselves; Verily Allah is Most Merciful to you." (Surat an-Nisa' (4): 29).

In Ibn Kathir's Tafsir it is stated that Allah has prohibited His believing servants from consuming the wealth of some of them over others in a false way, namely through efforts that are not recognized by the Shari'a, such as by using various kinds of deception and deception. (Ghoffar et al. al., 2004)

Lafadz *tijaratan* can also be read as *tijaratun*. This expression is a form of *istisna munqati'* as if it was said, "Do not run a business that causes unlawful acts, but do business according to the regulations recognized by the Shari'a, namely commerce that is carried out consensually between the buyer and the seller. And seek profit in a way that is recognized by the Shari'a. (Ghoffar et al., 2004)

However, Fajar's side also sometimes asks for approval from buyers, this indicates that Fajar's party also sometimes performs *Ijab Qabul* regarding change for donations with buyers. This is what makes the ask foral of the change valid. According to Fachrian et al., (2020) in their research regarding the ask foral of change for donations from a review of Islamic law, if the change for donations is ask for with the buyer's permission but sometimes it is also not carried out, the conclusion is that it is permissible as long as it is in an effort to invite goodness.

In the process of distributing donations, Fajar is not always transparent to buyers regarding the clarity of the recipients of the donation, because it is not always clear when the change is ask for and where the donation is distributed and who receives it. On the other hand, there are articles that mention that donations to orphans, mosque donations, helping others, have become the obligations and obligations of Fajar Toserba Jalaksana. This shows that Fajar Toserba Jalaksana has tried to be trustworthy in terms of distributing the donation amount.

Based on the principles of Maqashid Syariah, the research results can be analyzed as follows:

Maqashid Sharia is the legal goal of achieving *maslahah*. The five *ushul sharia* carried by Imam Haramain, there are three levels of *maslahah*, namely *dharuriyat*, *hajiyyat* and *tahsiniyat*. (Al-Juwaini, 1992) Imam Al-Ghazali's view in the concept of Maqashid sharia states that *maslahah* in Islamic

law is anything that is intended to maintain the goal Shari'a summarized in al-mabaadi' al-khamsyah, namely the protection of religion (hifzd al-din), soul (hifzd al-nafs) mind (hifzd -'aql), offspring (hifdz al-nasl), and property (hifzd al -maal). Every law that contains the purpose of maintaining these five things is called maslahat. (Al-Ghazali, 1412).

1. Hifdzu al-Diin: Compliance with religion, in this case donations as a way or alternative to overcome the problem of difficulties in returning change for donations at Fajar Toserba Jalaksana. The alternative is taken accordingly, because donation or infaq is recommended in Islamic law. As the word of Allah SWT:

يَسْأَلُونَكَ مَاذَا يُنْفِقُونَ قُلْ مَا أَنْفَقْتُمْ مِنْ خَيْرٍ فَلِلَّوَالِدَيْنِ وَالْأَقْرَبِينَ وَالْيَتَامَى وَالْمَسَاكِينِ وَابْنِ السَّبِيلِ وَمَا تَفْعَلُوا مِنْ خَيْرٍ فَإِنَّ اللَّهَ بِهِ عَلِيمٌ

They ask you about what they earn. Answer, "Whatever wealth you spend, let it be given to parents, relatives, orphans, poor people, and people who are on the way." And whatever good you do, then verily Allah is Knowing (Surah Al Baqarah: 215)

According to Ibn Abbas and Mujahid the meaning of the verse is "How do they make a living?". The groups referred to in this verse are those who are entitled to a living, namely mothers, fathers, relatives, orphans, poor people, and people who are on their way. From this explanation, the distribution of donations made by Fajar Jalaksana convenience store is in accordance with the paragraph above.

1. Hifdzu nafs: Taking care of the soul in this case can be in the form of fulfilling one's own needs for food, drink and clothing. Donations distributed to orphans, the poor, and people in need in the form of compensation indicate that there are efforts to take care of each other among Muslims.

2. Hifdzu aql: To protect the mind, Islam has forbidden anything that can damage the mind. In this case, Fajar Toserba has provided scholarships to the underprivileged in order to support education. Although in the education support funds, this scholarship has been confirmed from social funds ask for from change or not.

3. Hifdzu al Nasab. Previously, it was explained that an interview with one of Fajar's employees named Iyan stated that the distribution of social funds was usually to the poor, orphans in the form of compensation or given to people in need. In an effort to maintain the benefit of maintaining offspring, by fulfilling the mandate of distributing the donation money to people in need, distributing donations in the form of compensation to orphans, the poor, indirectly helps their survival.

4. Hifdzu al-Maal. Although sometimes consumers' money is taken unilaterally without notification for donations. In terms of maintaining the purpose of this Islamic law, the obligation to protect the buyer's property in this case is change for donations sometimes cannot be fulfilled. But on the other hand, Fajar Toserba Jalaksana has taken care of the buyer's property and

is trying to be trustworthy in distributing the social funds to those in need, namely the poor and orphans.

## 5. CONCLUSION

After doing research at Fajar Toserba Jalaksana, it can be concluded as follows:

1. On ask foral of change for donations at Fajar Toserba Jalaksana when buying and selling transactions. Fajar applies an odd price so that it is difficult to return small nominal money. As an alternative, Fajar ask fors change which is difficult to return in the form of social funds. Some previous researchers allow it in terms of reviewing Islamic law with certain notes.
2. The money from the customers when buying and selling transactions at Fajar Toserba Jalaksana is distributed to orphans, the poor, and in need. As for the practice, when buying and selling at Fajar occurs, if there is an odd nominal money, it is directly distributed to the social fund in the payment receipt. Sometimes Fajar's side asked for their consent directly, sometimes they didn't ask for approval. Then every day the social fund money is separated to be distributed to those in need.
3. The Maqashid Sharia analysis on this matter can be concluded that the five main points or al-mabaadi' al-khamsyah have been fulfilled. The ask foral of change for donations and the distribution of the donation money has fulfilled the purpose of Islamic law itself, namely Maqashi Syariah. Although there are elements that should not be done, but in this case the benefits are greater.

## REFERENCES

- Adam, P. (2018). Fatwa-Fatwa Ekonomi Syariah Konsep, Metodologi, dan Implementasinya pada Lembaga Keuangan Syariah (Tarmizi & M. Akbar (Eds.)). Amzah.
- Afifuddin, H., & Saebani, BA (2012). Metodologi Penelitian Kualitatif (2nd ed.). Pustaka Setia.
- Alwi, AB (2018). Pembiayaan Berbasis Teknologi Informasi (Fintech) yang Berdasarkan Syariah. N, Jurnal Pemikiran Dan Pembaharuan Hukum Islam, 21(2).
- Aulia, S. (2020). Pola Perilaku Konsumen Digital dalam Memanfaatkan Aplikasi Dompot Digital. Jurnal Komunikasi, 12(2). <https://doi.org/http://dx.doi.org/10.24912/jk.v12i2.9829>
- Az-Zuhaili, W. (2011). Fiqih Islam Wa Adillatuhu. Gema Insani.
- Cahyani, IP (2020). Membangun Engagement Melalui Platform Digital (Studi Kasus Flip Sebagai Start-Up Fintech). Jurnal Ilmu Komunikasi, 3(2).
- Cara Kirim Uang via Flip. (2021). Flip. <https://flipid.zendesk.com/hc/id/articles/360021130791-Cara-Kirim-Uang-via-Flip>

- Cara Membuat Akun Flip. (2021). Flip. <https://flipid.zendesk.com/hc/id/articles/360039488492-Cara-Membuat-Akun-Flip>
- DSN-MUI. (2000). Tabungan.
- DSN-MUI. (2002). Jual Beli Mata Uang (Al-Sharf).
- Dwimurti, BS (2020). Transfer Dana Beda Bank Tanpa Biaya Administrasi Melalui Aplikasi Flip Dalam Tinjauan Etika Bisnis Islam. *Jurnal Ilmiah Mahasiswa Studi Syariah, Hukum Dan Filantropi*, 2(2).
- Ernawati, sulung S. (2017). Tinjauan Hukum Islam Terhadap Pembayaran Kode Unik Dalam Jual Beli Online Di Tokopedia. *Penelitian Bersama*.
- H, D. (2018). Akad dalam Transaksi Ekonomi Syari'ah. 12(2).
- H, S., Ariyadi, & Norwili. (2020). *Fikih Muamalah Memahami Konsep dan Dealiktika Kontemporer*. K-Media.
- Hasan, AF (2018). *Fiqh Muammalah dari Klasik hingga Kontemporer*. UIN-Maliki Press.
- Hasibuan, sri J. (2019). Hukum Jual Beli On-Line dengan Kode Sebagai Harga Perspektif Yusuf Al-Qaradawi. *Penelitian Bersama*.
- Khosyi'ah, S. (2010). Wakaf dan Hibah Perspektif Ulama Fiqh dan Perkembangan di Indonesia. CV. Pustaka Setia.
- Lutfi, M. (2020). Penerapan Akad Wadiah di Perbankan Syariah. *Madani Syariah*, 3(2).
- Nugrahani, F. (2014). *Metode Penelitian Kualitatif dalam Penelitian Pendidikan Bahasa*. Cakra Books.
- Putri, AA (2020). Pengaruh Kemudahan Penggunaan Kemanfaatan, Dan Kepercayaan Majelis Taklim Hayatul Ilmi Surabaya Terhadap Minat Menggunakan Flip.id Dengan Perspektif Hifdzul Mal. *Penelitian Bersama*.
- Raco, J. . (2010). *Metode Penelitian Kualitatif Jenis, Karakteristik, dan Keunggulannya*. PT Gramedia Widiasarana Indonesia.
- Rahma, DA (2020). Kode Unik Dalam Transaksi E-Commerce Di Tinjau Dari Hukum Ekonomi Syariah Dan Hukum Perlindungan Konsumen Pada Toko Online Deavhijab. *Penelitian Bersama*.
- Rifaldi. (2019). *Transaksi E-Commerce Pada Facebook Marketplace Dalam Perspektif Ekonomi Islam*. Universitas Islam Negeri Alauddin Makassar.
- Sa'diyah, DF (2019). Penerapan Akad Wadi'ah pada Produk Simpanan Idul Fitri di LKMA Syari'ah Amanah Mandiri Desa Sekarputeh Kecamatan Bagor Kabupaten Nganjuk. *Jurnal Dinamika Ekonomi Syariah*, 6(1).
- Siyoto, S., & Sodik, A. (2015). *Dasar Metodologi Penelitian* (Ayup (Ed.); 1st ed.). Literasi Media.
- Sudiarti, S. (2018). *Fiqh Muamalah Kontemporer*. FEBI UIN-SU Press.
- Sugiyono. (2013). *Metode Penelitian Kuantitatif Kualitatif dan R&D*. Alfabet.

- Sukmayanti, A. (2020). Tinjauan Ekonomi Islam terhadap Akad pada E-Commerce Study Kasus Tokopedia. 3(2).
- Syariah, DP (2015). Kumpulan Khotbah Bisnis dan Keuangan Syariah. Otoritas Jasa Keuangan.
- Syarqawie, F. (2014). Fikih Muamalah (2014th ed.). IAIN ANTASARI PRESS.
- Yarli, D. (2018). Analisis Akad Tijarah Pada Transaksi Fintech Syariah Dengan Pendekatan Maqhasid. Jurnal Pemikiran Hukum Dan Hukum Islam, 9(2).