



Maqashid Syariah Review of Payment of Workers' Wages in the Self-Help Housing Stimulant Assistance Program (BSPS) in Teluk Pakedai District

Aiyub Anshori¹, M. Khairul Anwari², Rahmat³, Amrin⁴

^{1,2,3} Universitas Muhammadiyah Pontianak, Indonesia

⁴ Politeknik Negeri Medan, Indonesia

Abstract: The aim of this research is to raise the issue of wage payment schemes. Based on the data, there are still many people who pay wages using a process that is not in accordance with the contract that has been determined, and there are still many people who make wage payments without paying attention to the appropriate time period and amount of wages. So in this research we will discuss how the implementation of worker wage payments in the self-help housing stimulant assistance program (BSPS) is appropriate from a Maqashid Syariah perspective. The government has a program to eradicate uninhabitable housing with a housing assistance program for low-income communities through the PUPR ministry. West Kalimantan, especially Kuburaya district, is in the spotlight with a larger aid allocation quota than other districts. This assistance was in the form of money which was then spent collectively by the beneficiaries amounting to twenty million, with details of seventeen million five hundred thousand for building materials and two million five hundred thousand for workers' wages. Wage payments are made after the house is built by the beneficiary with their own self-sufficiency, so a problem arises in the payment of workers' wages which is deferred until the house is completely built and still has to wait for the entire group to complete its obligations as a condition for paying workers' wages. Based on Maqashid Syariah's review, the process of paying wages in the BSPS program is seen from the indicators of protecting religion, protecting the soul, protecting offspring, protecting property, protecting, and reason. These are not all contradictory, but need to be reviewed from the perspective of dharuriyyat, tahsiniyyat, hajjiyyat.

Keywords: Maqashid Syariah; Workers' Wages; BSPS

1. Introduction

Work is one of God's commands that humans must carry out in their lives (Alam et al., 2022). This can be seen from the detailed rules given by Allah and the Messenger regarding procedures for working or doing business in accordance with Islamic guidance. There is a command to seek Allah's sustenance from wherever and in whatever form (Muthoifin et al., 2022).

Wages are the rights of workers or laborers who are received and expressed in the form of money as compensation from employers to workers which are determined and paid according to a work agreement, agreement or statutory regulations including allowances for workers or laborers from their families for work and/or services provided. has been or will be carried out (Wibawa et al., 2023).

In the Qur'an it is explained in the letter Al-Baqarah Verse 233:

"And if you want your child to be breastfed by someone else, then there is no sin for you if you pay according to what is appropriate. Fear Allah and know that Allah is All-Seeing of what you do (Departemen Agama RI, 2014).

This verse contains Allah's guidance for mothers to breastfeed their babies when the babies really need their mother's milk, namely until the age of two years. As for the rest, breastfeeding is no longer needed by babies, that is, babies must be given additional food for their body growth (Wibawa et al., 2023). For this reason, the scholars state that a baby is a baby who is breastfed before the age of two years, and beyond that it is not considered a baby, which can make marriage forbidden (Sumarti, 2018).

Correspondence:

Name: Aiyub Anshori

Email: aiyub.anshori@unmuhpkn.ac.id

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The verse above is the legal basis for the rental system in Islamic Law, as expressed in the verse that a person may hire another person to breastfeed their child, of course this verse applies generally to all forms of renting (Hasan & Asrori, 2023).

In the study of Islamic law, *maslahat* is known as *maqashid sharia* (shariah goals), meaning that taking benefit means the same as realizing *maqashid as-syariah*. So, *Maqashid Syariah* are the goals to be achieved from a legal enactment (Lesmana et al., 2021). The essence of the goal of sharia is to realize problems for humans and eliminate harm, while *mabadi'* (basic principles) namely paying attention to the basic values of Islam, such as justice, equality and independence (Murtadho, 2023).

Islamic law regulates every line of life in very detail, one of which includes the payment of wages. Then, what about wages for work where payment is not made immediately, this is contrary to the hadith of Rasulullah SAW which recommends payment of wages be hastened?

Give the worker his wages before his sweat dries" (HR. Ibnu Majah) ,If the payment of workers' wages is delayed even though they have fulfilled their obligations, it is felt that this will cause harm to their religion, soul, reason, honor and property. Or does the delay in payment only cause harm? Or on the other hand, the purpose of collective payments has a positive value that creates benefits for the workers

In connection with these wages, researchers are interested in studying the payment of workers' wages for self-help housing stimulant assistance (BSPS) in Teluk Pakedai District, Kuburaya Regency. Payment process Previous research related to several themes of payment of workers' wages such as; "Paying Wages at the Kancil Shop at Jemanten State Market, Marga Tiga District, East Lampung According to Sharia Economic Law"(Arsad et al., 2015); "Review of Islamic Law on Wages for Pig Farm Workers in Kemutug Lor Village, Baturraden District, Banyumas Regency (Muhsin, 2023); Juridical implications of the MK/100/PUU-X/2012 decision on workers' rights: Review of law no. 13 of 2003 concerning employment and Islamic law (Wibawa et al., 2023).

Based on the research above, this study fills the previous gap where the focus of the previous study was primarily on the subject and object of the *ijarah* contract carried out in wages, whereas this study examines the process of paying wages which are deferred until a certain time, resulting in some workers' wages being delayed.

This research can contribute to a better understanding of how *Maqashid Syariah* principles can be applied in the context of paying workers' wages in assistance programs such as BSPS. This can help in strengthening the theoretical and practical foundation for the application of Islamic principles in everyday life. And also the results of this research can provide valuable input for policy makers in developing or evaluating assistance programs, including worker wage payment policies, by considering *Maqashid Syariah* principles. This can help in creating policies that are fairer, more inclusive and in line with Islamic values.

This research has important practical and theoretical implications, namely 1) Providing guidance for related parties, including the government and related institutions, in designing policies that are more in line with *Maqashid Syariah* principles regarding the payment of workers' wages in assistance programs such as BSPS. 2) Encourage companies and organizations involved in the BSPS program to consider ethical and fair aspects in paying workers' wages, thereby creating a fairer and more beneficial work environment for workers. 3) Providing a better understanding for society about the importance of applying Islamic principles in economic aspects, including payment of workers' wages, and increasing awareness of workers' rights according to an Islamic perspective.

Meanwhile, the theoretical implications are 1) Adding academic literature regarding the application of *Maqashid Syariah* principles in the context of Islamic economics and finance, especially in terms of paying workers' wages in aid programs. 2) Enrich understanding of the relationship between Islamic principles and modern economic practices, which can be the subject of further discussion and research in the fields of Islamic studies and Islamic economics. 3) Provide a basis for further research to explore more deeply

how Maqashid Syariah principles can be applied in various aspects of economic and social life.

2. Methods

Research This research includes field research. Field research is research carried out in the field or at a location to investigate objective symptoms that occur at that location, and is also carried out for the preparation of scientific reports (Sugiyono, 2017).

Based on this understanding, field research is research that aims to examine something that happens in society. In this case, the location to be researched is in Teluk Pakedai District, Kuburaya Regency. This research is descriptive field research, namely "it is a research format that aims to describe, summarize various conditions, various situations or various variables that arise in the community that is the object of the researcher (Arikunto, 2013).

Primary data sources are the first sources where data is produced. Meanwhile, primary data is data obtained directly from the object, namely the first data obtained from the first party, from the original source which has not been processed and described by other people. The informants in this research were village officials, aid recipients, facilitators accompanying the program and workers completing houses in Teluk Pakedai District, Kuburaya Regency (A. Amrin et al., 2022). Secondary data used for research is in the form of writing and research related to the discussion of this research. In this case, the secondary data sources used are books that discuss wages for renting services (ijarah/ujroh) and compilations of sharia economic law (A. Amrin et al., 2023). This analysis involves the application of Maqashid Syariah concepts, such as justice, benefit, and property protection, to evaluate the extent to which worker wage payments in the BSPS program comply with these principles.

3. Results and Discussion

3.1. Implementation of Payment of Workers' Wages for Self-Help Housing Stimulant Assistance in Teluk Pakedai District

The research was conducted during the implementation of the 2023 Self-Help Housing Stimulant Assistance (BSPS) program stages in Teluk Pakedai T-1 District. The number of aid recipients as many as houses was obtained from verification and identification of data in the field to prove their suitability to be aid recipients. This program has provisions that must be fulfilled by prospective aid recipients, firstly administratively and secondly technically. Administratively, prospective aid recipients must be genuine Indonesian citizens and reside at the address listed in the verification data as proven by their Resident Identity Card. Furthermore, the land where the residential house is occupied must be in your own control which can be proven by proof of land ownership, either certificate, Petok D, or letter C. Meanwhile, technically the structure of the house such as the foundation, sloof, columns, ring beams, roof frame is incomplete or damaged (Neni Hardiati; Ayu Yunus Rusyana, 2021).

As stated in SE Number 14/SE/Dr/2022 concerning Technical Instructions for the Implementation of the Self-Help Home Construction Assistance Program, the aim of BSPS is to encourage and increase community self-sufficiency so that they are able to have access to meet the need for livable housing. With this assistance, it is hoped that it can help create community self-sufficiency initiatives in repairing the uninhabitable houses they live in into habitable houses. In the BSPS program, forms of community self-sufficiency can be carried out according to the capabilities of the aid recipient. The form of assistance for the BSPS program in the form of funds amounting to 20 million does not require aid recipients to have to spend their own money in the form of money. This means that self-sufficiency can be provided in other forms, such as additional labor carried out by the owner or his relatives. Observations carried out during the implementation of self-sufficiency identification of recipients of BSPS program assistance found results as in the following table:

Table 1. Data on Self-Sufficiency of Aid Recipients

No.	Village	number of aid recipients	Form of Self-Sufficiency	
			Money	The Dragon Work
1.	Mussel Strait	10	4	6
2.	Upper Pakedai Bay	10	7	3
3.	Pakedai Bay One	10	8	2

According to the data in the table above, it can be seen that community self-sufficiency is dominated by additional development funds, both used to purchase materials and provide labor wages. Labor self-sufficiency is carried out by family members who have skills as craftsmen and understand enough about working on the structural components of building a house. They are willing to temporarily apply for leave to take time off from work so they can do work in their own homes. This is done to save workers' wages so that the funds allocated for paying workers' wages worth 2.5 million can be used or diverted for other costs such as additional purchases of required building materials because if the labor comes from family members of course the costs incurred are small or even no pay at all.

In the process of paying craftsman wages worth 2.5 million, it is paid in two stages, the first is when the condition of the house reaches 30%, then wages are paid 1,250,000 and paid in full when the condition of the house reaches 100% with the criteria and conditions that have been explained in the SE Number 14/SE/Dr/2022 concerning Technical Instructions for Implementing the Self-Help Home Construction Assistance Program (Wily Mohammad, 2021).

The problem that occurs in the implementation of BSPS in wage payments is when there are several aid recipients who have not completed 100% progress, while recipients in the same group have completed it, so that wage payments are delayed because the process of disbursing craftsman wages facilitated by field facilitators is required to be completed in a timely manner one group (Murtadho, 2023). This has resulted in turmoil among workers who have finished carrying out their obligations as craftsmen among aid recipients, who are generally low-income communities. The postponement of wage payments is a form of joint responsibility for the respective groups in each village to which the self-help housing stimulant assistance is allocated (Islamiyan, 2022).

3.2. *Maqasid Syariah review of the payment of workers' wages for BSPS Self-Help Housing Stimulant Assistance*

The purpose of maqashid ash-syari'ah, namely to protect or guarantee the continuity of a person's faith (hifdz ad-din), their life (hifdz nafs), their thoughts (hifdz Al-'aql), their descendants (hifdz an-nasl) and wealth them (hifdz mall). All five main objectives of sharia are intended to promote general human welfare (Ika Yunia Fauzia & Abdul Kadir Riyadi, 2015) (S. Amrin, 2022).

Wages that are not given on time will result in various kinds of problems, especially delays in payment that occur among low-income communities. If viewed from Hifz Ad-din (guarding Religion), Hifz Al 'aql then the problem that occurs does not reach the issue of dharuriyyat, and is only limited to hajjiyat to fulfill the hadith recommendation to pay wages on time because it does not conflict with religion in being charged as a servant, and has no effect on damage to the mind or intellect of the burdened mukallaf (Raysuni, 2010) (Silvy, 2021).

If we look at the objectives of the maqashid sharia of hifz al-mal (protecting wealth), hifz an-nasl (protecting descendants), and hifz an Nafs (protecting descendants), then the problem that exists extends to dharuriyyat (Arsad et al., 2015). The impact that occurs if wages are delayed in being paid is that the worker's rights as a laborer are not fulfilled, resulting in disharmony in the family (Riza, 2017). One form of self-sufficiency that exists

in low-income communities is that relatives or family are able to become workers (handymen) to complete the BSPS program. Another problem that arises is that delayed wages will become a debt for recipients of assistance to workers who have been appointed, this is contrary to the objectives of maqasid Sharia, namely protecting assets and protecting offspring (Wibawa et al., 2023).

4. Conclusions

Upah is part of ijarah. In its implementation there are terms and conditions that bind both parties, both the payer and the recipient. fair and paid on time so that they can live a decent life in society Based on the Maqashid Syariah review, the process of paying wages in the BSPS program is seen from the indicators of protecting religion, protecting the soul, protecting offspring, protecting property, protecting, and not all of them are contradictory. In the aim of protecting property, protecting offspring and protecting the soul, there are dharuriyyat problems so that delaying payment of wages is contrary to the objectives of maqashid sharia. This research can help in expanding understanding of the principles of Maqashid Sharia, which is the main framework for understanding the objectives of Islamic law. This includes justice, prosperity, freedom, and the maintenance of religion, life, offspring, and wealth. By applying these principles in the context of paying workers' wages, this research can open the door to applying a holistic Islamic perspective in economic policy. This research can increase public awareness, especially Muslim communities, about the importance of ensuring that government programs are in line with Islamic values and principles. This can motivate more active participation from the community in ensuring that the policies and programs implemented by the government are in accordance with religious principles. This research may be limited by the lack of a strong theoretical framework in understanding the relationship between worker wage payments and Maqashid Syariah principles. Conduct a more in-depth literature review to strengthen the theoretical framework of the research, especially in understanding the relationship between worker wage payments and Maqashid Syariah principles.

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