



THE COMMODIFICATION OF RELIGION IN THE MAQĀSID AL-SHARIAH PERSPECTIVE

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Abstract

This article discusses the problem of the commodification of religion in Islam, namely looking at the perspective of Islamic law on a process that directs the symbols and religious expressions of Muslims in the framework of market-based power as a commodity or business object. The theory used is the Maqāsid al-Shariāh theory, to find out whether or not the objectives of sharia law are maintained in the religious practices which intersect with the economic dimension. This becomes relevant because for a Muslim the conformity with the objectives of sharia is the materialization of maṣlahah which is the wisdom of establishing a law in Islam. It employs a normative approach in the perspective of Maqāsid jurisprudence. The results of this study indicate that in the Islamic context, there are several things that reveal the symptoms of religious commodification which are packaged in various forms of industry. Some types of industry still exist which are built with economic rationality to seek mere worldly benefits and ignore the principles of benefit. For this

type of business practice, the government with its various instruments or institutions must continue to carry out sharia-compliant supervision. Meanwhile for the sharia-based business practices or industries, there is no legal issue in complying with sharia objectives there.

Keywords: *Commodification of Religion, Maqāshid Al-Shariah, Islamic law*

Abstrak

Tulisan ini membahas masalah komodifikasi agama dalam Islam, yaitu melihat perspektif hukum Islam terhadap suatu proses yang mengarahkan simbol-simbol dan ekspresi keberagaman Umat Muslim dalam kerangka market-based power sebagai komoditas atau objek bisnis. Teori yang digunakan adalah teori Maqāshid asy-Syariāh, untuk mengetahui tetap terjaga atau tidak-nya maksud atau tujuan penetapan hukum syariah dalam praktek-praktek agama dalam dimensi ekonomi tersebut. Hal ini menjadi relevan karena bagi seorang muslim kesesuaian dengan tujuan syariah yaitu tercapainya maṣlahah yang merupakan hikmah ditetapkannya suatu hukum dalam Islam merupakan hal yang sangat prinsip. Pendekatan yang digunakan adalah pendekatan normatif dalam perspektif fiqh Maqashid. Hasil penelitian ini menunjukkan bahwa dalam konteks Islam, terdapat beberapa hal yang menampakkan adanya gejala komodifikasi agama yang dikemas dalam berbagai bentuk Industri. Beberapa jenis industri masih ada yang dibangun dengan rasionalitas Ekonomi untuk mencari keuntungan duniawi semata dan mengabaikan prinsip-prinsip kemaslahatan. Untuk praktek tersebut, pemerintah dengan berbagai instrumen atau lembaga yang dimilikinya harus terus melakukan

pengawasan. Sedangkan untuk berbagai industri dan praktek bisnis yang berbasis syariah dan mengedepankan masalah – yang maknanya lebih luas dari sekadar utility atau kepuasan dalam terminologi ekonomi konvensional–maka tidak ada persoalan hukum secara syariah.

Kata kunci: *Komodifikasi agama, Maqāsid asy-Syariah, Hukum Islam.*

A. Introduction

Religion is one of the important elements in culture. According to Radcliffe-Brown "social relations", "society", "norms", and "culture" are concepts that are born of abstraction against the reality of human behavior.¹ In the context of culture, Geertz said that a meaning would return to the "context" of the people who became supporters or followers of that culture. Therefore, in the context of religion as an element of culture, the meaning of a religion is returned to the meaning of its followers who will share the context of meaning in the religion. In other words, religion in a cultural context can find its articulation through behavior or social actions in which the community can live in it, or accept reproach over that meaning, or even then eliminate the meaning that has been agreed upon previously.²

The phenomenon of "commodification of religion", shows the meaning of religion that has economic dimensions. This phenomenon reveals different

¹ Amri Marzali, "Struktural Fungsionalisme," *Antropologi Indonesia*, Vol. 30, no. 2 (June 8, 2014), <https://doi.org/10.7454/ai.v30i2.3558>.

² Clifford Geertz, *The Interpretation of Cultures* (New York: Basic Books, 1973).

articulations of religion which can be seen from the behavior or actions of religious followers. This phenomenon has previously been suggested by Miller in his book *Consuming Religion: Christian Faith and Practice in a Consumer Culture*. It is the result of a survey of how consumerism and commodification culture produce graphs where Christian religious beliefs and practices have been changed by dominant consumer culture.³

A similar phenomenon in the Islamic context is seen in Fealy's chapter "Consuming Islam: Commodified Religion and Aspirational Pietism in Contemporary Indonesia". It shows that there is a shift in a meaning in the form of exchanging religious economic transactions, especially when the symbol of faith is used to market products which is associated with Islam.⁴

Some things related to religious rituals or worship as a form of Muslim obedience to the Creator in carrying out sharia which are considered sacred (such as *dhikr*, prayer, Hajj and Umrah), were previously individual and non-profitable. In the framework of global capitalism, religious activities are very likely to change to be collective and profitable or contain commercial elements and even tend to be commercialized so that economic motives may be more dominant than the motives of worship itself. This discourse can be seen among others in Didik Hariyanto's article

³ Vincent J. Miller and Vincent Jude Miller, *Consuming Religion: Christian Faith and Practice in a Consumer Culture* (London: Bloomsbury Academic, 2005).

⁴ Greg Fealy, "Consuming Islam: Commodified Religion and Aspirational Pietism in Contemporary Indonesia", in Greg Fealy and Sally White, eds., *Expressing Islam: Religious Life and Politics in Indonesia* (Singapore: Institute of Southeast Asian Studies, 2008), p.15-39.

"Commodification of Umrah Worship in Capitalism Umrah Travel in Indonesia".⁵

Therefore, it can be said that there has been a paradigm shift that affects the rationality and motivation of how a Muslim runs his life by being interpreted as obedience in order to carry out sharia. The question is, then, whether the objectives of sharia (*maqāṣid Al-sharia*) are reached in such religious expressions? Therefore, this article aims to discuss the phenomenon of the commodification of religion in the context of Islam, and analyze it with the perspective of the *Maqāṣid Al-Sharia*. For this reason, this paper will begin by emphasizing the concept of the ash-sharia *maqāṣid* and its position for a Muslim. this is important to discuss in order to be able to analyze the views of sharia on the commodification of Islam which is the main issue of this research.

B. The Concept of *Maqāṣid Al-Shariah*

The basic concept of *Maqāṣid* can be found in the Qur'an, chapter An-Nisā (4): 164, and Al-Anbiya (21): 107. *Maqāṣid* has the basic words; *Qaṣd* which means aiming at or towards something. Meanwhile, Sharia etymologically means the road to the water source.⁶ Then, the word sharia is connoted by the Arabs in the sense of a straight path that must be followed namely the law of God.⁷ Therefore it was agreed that the understanding of *maqāṣid al-shariah* was the purpose of establishing Islamic law.

⁵ Didik Hariyanto, "Commodification of Umrah Worship in Capitalism Umrah Travel in Indonesia," *IOSR Journal Of Humanities And Social Science (IOSR-JHSS)*, Vol. 23, no. 10 (2018).

⁶ Ibn Mansur al_Rifqi, *Lisan Al-Arab*, VII, (Beirut: Dar as-Sadr, 1997), p.175.

⁷ Manna' Qattan, *At-Tasyri' Wa Al-Fiqh Al-Islami* (Mesir: Mu'assasah ar-Risalah, n.d.), p.14.

The discussion of *maqāshid al-shariah* in the classical period indicates a combination of legal studies with theological studies as the basis of its argument, especially because it is always associated with the study of effective cause or *'illah*. *'Illah* itself is interpreted as a clear and decisive matter which is the reason for the stipulation of law.⁸ The study of *'illah*, then, enters the theological domain when such a question arises "Is the law of God established based on a certain cause or not?" The Ash'ariyah group argues that if the law of God is said to be associated with certain causes, it will reduce the nature of God's own perfection, because it is as if his actions were moved by other forces.⁹ The Mu'tazilah group argues that God's law is associated with the benefit of his servant, because if not, God's actions will be in vain. Meanwhile, vain deeds are not worthy of being born of the Most Perfect God.¹⁰

In the discourse of Islamic law, some figures who are representations of various theological ideologies such as the Ash'ariyah, Mu'tazilah, or Maturidiyah, basically do not disagree about the relation between *'illah* and *maṣlahah* as *Maqāshid al-shariah*. The legal study of *Maṣlahah* in the context of Islamic law in the science of *fiqh* is prioritized to the value of legal benefits for humans.¹¹ Thus the *'illah* or

⁸ The Maqāshid asy-Shari'ah discussion in the pre-Asy-Syatibi era (D. 790H./1388 AD.), can only be identified implicitly in the themes of the study of *'illah* and *maṣlahah*. Asafri Jaya Bakri, *Konsep Maqashid Syari'ah: Menurut al-Syatibi* (Jakarta: UI Press, 1986), p.81-82.

⁹ Bakri, p. 81-82.

¹⁰ Bakri, p. 58.

¹¹ Example, there is no difference in opinion of *'illah* between Al-Gazzali (450m-505H./1058-1111M.) as a proponent of Asy'ariyah and Abu al-Hasan al-Basri from among Mu'tazilah. They disclose it in the discussion of *qiyas*, in which the discussion can be drawn clearly to the discussion of *maṣlahah* as the principal of Maqāshid asy-Shari'ah. In Bakri, p. 59.

the reason for the determination of the law on a matter is indeed very much related to the existence of *maṣlahah* through the stipulation of the law.

Imam al-Gazzali defines *maṣlahah* as taking advantage and refusing *madarat* in order to safeguard the objectives of sharia" (*Maqāṣid al-shariah*).¹² In al-Gazzali's view the realization of *maṣlahah* in general is the purpose of Islamic law (*Maqāṣid al-shariah*) which are general propositions and ethical norms of ethics which are inferred from various material sources of *syarīah*. This legal goal is divided into three levels, namely *ḍarūri* (primary), *hājjiya* (secondary), and *tahsini* (tertiary).¹³

Islamic jurists classify *maṣlahah* in terms of strength, and its influence into three types, namely: 1) *Maṣlahah Ḍarūriyah*, namely *maṣlahah* which is related to the existence of human life both worldly and religious aspects. If this type of *maṣlahah* is not fulfilled, it will threaten the existence of human life, cause *mafsadat* both in the world and in the hereafter. Included in *maṣlahah ḍaruriyah* is maintaining religion, soul, mind, lineage, and wealth. Sharia inform that there are two ways in guarding *maṣlahah ḍaruriyah*, namely by realizing and preserving it. 2) *Maṣlahah Hājjiya*, namely *maṣlahah* which deals with efforts to facilitate human life and eliminate difficulties. The non-realization of the *maṣlahah hajjiya* does not threaten the existence of human life but raises *masyaqaḥ* or difficulties. 3) *Maṣlahah Tahsiniyah* or *Kamaliyah*, namely *maṣlahah* which is related to *muru'ah* (self-dignity) and aims to the perfection of human life. Not fulfilling *Maṣlahah*

¹² See Abu Hamid al-Gazzali, *Al-Mustasfa Fi 'Ilm Al-Usul* (Beirut: Dar kutub al-Ilmiyyah, n.d.), p. 286.

¹³ See Syamsul Anwar, "Epistemologi Hukum Islam Dalam Al-Mustasfa Min 'Ilm Al-Usul Karya Al-Gazzali (450-505H./1058-1111M.)" (Dissertation, IAIN Sunan Kalijaga Yogyakarta, 2001).

Tahsiniyah or *Kamaliyah* will not threaten the existence of human life nor will it cause difficulties.¹⁴

Al-Shatibi¹⁵ stated that actually shari'a institutionalization is nothing but to realize the benefit of mankind both in the world and in the hereafter."¹⁶ According to Al-Shatibi, *maṣlahah* is what returns to the upholding of human life and the perfection of its livelihood. There is no *maṣlahah* that is truly pure, as well as *mafsadah*. Both *Maṣlahah* and *mafsadah* according to its size in the world is what is more in size and more powerful in effect, if the stronger is *maṣlahah*, then it is called *maṣlahah*, and *vice versa*, if the more powerful one is the element of *mafsadah*, then it is called *mafsadah*.¹⁷

The Shatibi's doctrine of *Maqāṣid al-shariah*, according to Muhammad Khalid Masud is an attempt to uphold *maṣlahah* as an essential element for legal purposes which can be seen from two perspectives, *Qaṣd al-Syari* (the purpose of the Legislator) and *Qaṣd al-Mukallaf* (the purpose of subject of law).¹⁸ The former (the purpose of the Legislator) consists of four aspects as follows: first, that *Qaṣd al-Shari* relates to the content and nature of *Maqāṣid al-shariah*, namely the main goal of God in institutionalizing a law to realize human benefit both in the world and in the hereafter; second, that *Qaṣd al-Syari* to be related to the understanding of the intent and purpose of institutionalizing law in order to realize the benefits that

¹⁴ Wahbah az-Zuhaili, *Usul Al-Fiqh Al-Islami*, II, (Beirut: Dar al Fikr al-Ma'sir, 1986), p. 1020–1025.

¹⁵ Abu Ishaq asy-Syatibi is Maliki's theoretical scholar who developed al-Gazzali doctrines. See az-Zuhaili, p. 1020–25.

¹⁶ Abu Ishaq asy-Syatibi, *Al-Muwafaqat Fi Usul as-Syari'ah*, II (Beirut: Dar al-Kutub al-Ilmiah, n.d.), p. 5.

¹⁷ asy-Syatibi, p. 20.

¹⁸ Muhammad Khalid Mas'ud, *Filsafat Hukum Islam Dan Perubahan Sosial*, Trans. Yudian W. Asmin (Surabaya: Al Ikhlas, 1995), p. 228.

can be achieved and obtained by humans; third, that *Qaṣd al-Syari* relates to the implementation of Shari'a provisions in order to realize benefit; it also has something to do with human ability to carry it out; and fourth, that the God's purpose in entering the *mukallaf* under the command of the law is related to human obedience as *mukallaf* for the laws of God.¹⁹

The first aspect is the primary or core part of *Maqāsid al-shariah*, while the other three aspects are complementary and supportive for the first aspect. The first category relationship with the second one means to realize benefit, then the level of understanding of lay people is a consideration of God. The first category relationship with the third one implies the imposition of *shariah* is still within the limits of human ability to do it. Meanwhile, the first category relationship with the fourth one means that human benefit is considered to be benefit in accordance with the *Shariah* law itself.

Qaṣd al-Mukallaf, indicates that a command must be understood by all its subjects, both in linguistic and cultural terms. The imposition or *taklif* must be in harmony with human ability (*qudrah*), eliminate difficulties (*mashaqqah*), and others. The purpose of the *mukallaf* is also in order to avoid lust, and demand devotion to the laws of God (*ta'abbud*).²⁰

From the explanation above, it can be understood that the determination of the law on the problems of mandatory worship (in the sense of servitude as a form of direct human obedience to Allah) is more directed towards the *Qaṣd al-Shari`* aspect, while the issue of *ghairu mahḍah* or *muāmalah* is the relationship between humans and

¹⁹ Khalid Mas'ud, p. 228.

²⁰ Syah Waliullah ad-Dihlawi, *Hujjah Allah Al-Baligah*, I (Kairo: Dar at- Turas, n.d.), p. 38.

humans or other beings, the indication is more appropriate with *maṣlahah* in the context of *Qaṣd al-Mukallaf*. In the present context, some religious activities have undergone recontextualization through media and a culture of consumerism, which among such practices popularizes the term commodification of religion which is the object of the study of this paper. Some examples of religious commodification that are most obvious are the commercialization of prayer, the giving of blessings through the purchase of religious artifacts, books, sadaqah, infaq etc. which are the conditions for participants to be able to attend the *mahdhah* worship activities. The next form is the attachment of religious values through religious aesthetics to consumer products such as clothing, hijab, cosmetics and others. Often, commodification of religion is related to the reduced power of traditional religious mandate holders (such as *kyai* /ustadiz) to form genuine religious practices.²¹

Thus, for a Muslim the conformity with the objectives of sharia both from the point of view of *Qaṣd ash-shari* and *Qaṣd al-mukallaf* is a matter of principle. Therefore, obedience to the establishment of Sharia law in the form of obligations, recommendations, permits and prohibitions is important, and becomes an excuse to do or not carry out an activity in the frame of worship, either *mahdhah* or *ghairu mahdhah* worship. In this case ad-Dihlawi says that the stipulation of sharia law requires the existence of a reward (reward) and punishment for every human activity. Yet, continued ad-Dihlawi, the God stipulates that *syariah* law has the purpose of institutionalization in order to realize the benefits that can be achieved and obtained by

²¹ See Ornella A.D. Commodification of Religion. In Anne Runehov and Luis Oviedo, eds., *Encyclopedia of Sciences and Religions* (Springer Netherlands, 2013).

humans in accordance with their intentions or soul desires which push towards goodness (*maṣlahah*) and evil (*mafsadah*).²²

Speaking of the intentions and desires of the soul in the context of *maṣlahah*, the Ulama sets three requirements in the application of this law of *maṣlahah*, namely: (1) The *maṣlahah* must be definite, not just presuppositions or fabrications, that it actually manifests a benefit and prevents the occurrence of corruption; (2) It is not a matter of personal interest or a particular group or a small group of people, but must be general in nature and become a public need; and (3) Reasoning as *maṣlahah* does not lead to the neglect of a principle set by the *shariah* passage or the stipulation of *ijma*.²³

In the context of the practice of commodification of religion, understanding and explanation of the *maṣlahah* or *maqāṣid ash-Sharia* above can be used to analyze whether the activity is based on the intention or desire of the doer's soul which can lead to goodness (*maṣlahah*) according to the indicators above. In this case, as explained by Ash-Syatibi, *maṣlahah* as a goal of sharia determination is basically not differentiated between *maṣlahah* in the world and *maṣlahah* in the hereafter.²⁴ This is because, according to ash-shatibi, the benefit in the world in the end must also aim to achieve the benefit of the hereafter. It is not impossible that activities that are very close to the consumerist culture are based solely on the intention or desire of the soul to gain worldly benefits only for the producers, which may actually encourage the occurrence of *mafsadah* (causing damage). For example, Miller argues that consumerism is feared to provide a corrosive effect

²² See ad-Dihlawi, *Hujjah Allah*, p. 4 and 7.

²³ But See "Pokok-Pokok Ijtihad Dalam Hukum Islam" in Ahmad Azhar Basyir, *Ijtihad Dalam Sorotan* (Bandung: Mizan, 1988), p. 49–50.

²⁴ asy-Syatibi, *Al-Muwāfaqāt Fi Usul*, p. 38.

from the point of view of economic justice and environmental ethics,²⁵ and even religion.²⁶

C. Islamic Commodification

Some writings discussing the commodification of religion or the commodification of Islam mentioned above, can be said to agree on one thing, namely the existence of a market-based power which shows a very close relationship with the capitalist economic system. In this case there are parties who carry out the process of capital accumulation, by making religious content or messages as commodities by capturing market opportunities or even creating the market itself.

The number of Muslim populations is very large, making it a lucrative market potential. Referring to the 2009 Global Management Consultant (GMC) research report, the potential of the Muslim market reached an estimated figure of USD 2 trillion in pushing the global industrial market economy round.²⁷ The size of the demand side, from the supply side in the context of industrial capitalism, is not only responded to by demand, but also by generating a creative economy by constructing tastes, images, and reasons as part of the lifestyle of modern society. In this case, the growth of the number of Muslim middle class in the various countries in the world, raises the demand for tastes, images, desires and pleasures of other lifestyles as befits a lifestyle icon which is very likely

²⁵ Miller and Miller, *Consuming Religion*.

²⁶ Khoirul Faizin, "Teologi Kapitalistik: Catatan Atas Cara Pandang Masyarakat Modern Terhadap Agama," *TSAQAFAH*, Vol. 7, no. 2 (November 30, 2011): 317–44, <https://doi.org/10.21111/tsaqafah.v7i2.12>.

²⁷ Abdur Rozaki, "Komodifikasi Islam (Kesalehan dan Pergulatan Identitas di Ruang Publik)," *Jurnal Dakwah*, Vol. 14, no. 2 (2013): 199–212, <https://doi.org/10.14421/jd.2013.%x>.

different from previous traditions included in the spiritual field or religion.²⁸

In an extensively commodified perspective, religion is indeed a perfect commodity. Viewed from an economic perspective, religious content and messages have the potential to be products that can be consumed by the public and have their own market segments. The content or essence of Islam which consists of three basic teachings - which should be interrelated, namely monotheism, sharia, and ethics- are formatted in such a way that they can be used as business commodities. Previously the delivery of moral messages or the essence of Islamic teachings was carried out exclusively by *Dai*, *Ustadz*, *Kyai*, or other designations for people who were indeed considered to have a "license" for this matter. They reiterated the knowledge they had acquired after going through a long process of searching and understanding Islamic sciences with a clear "*sanad*" or learning transmission, as a *tablīgh* obligation, referring to the Prophet's hadith to spread the virtue of Islam even though just one verse of the Qur'an. Submission to the audience usually carried out verbally through a religious lecture in an Islamic studies assembly, *halāqoh*, or boarding schools. Even though there are those who fill in the lecture on television, they still have to have such strict criteria.²⁹

At present it can be said that such exclusivity is almost non-existent. The era of the Industrial Revolution 4.0, has led to the cyber media Online Industry, so that religious *fatwas* can be delivered through online or SMS media. Everyone seems to be able to present themselves as the authority to issue religious fatwas. The fact that

²⁸ Rozaki.

²⁹ In general there are several criteria that a person must have to obtain religious authority to provide fatwa. Abu Zahrah, *Usul Al-Fiqh* (Beirut: Dar Fikr, 1980), p. 380-89.

Indonesia is a majority Muslim population is one of the largest internet users in the world, makes Cyber media effective in conveying religious messages. The phenomenon raised in the "*Aku Bukan Ustadz*" (I am not an Islamic preacher) soap opera shows that online Cyber media can raise its popularity to strengthen one's authority if it is able to use and construct it into the image of himself intelligently.³⁰ It can even capitalize through the effects of *dakwah* imaging even by people who are not *Ustadz* especially by people who have a qualified religious knowledge.³¹

A case in point is Gilang Dirga's lecture, a TV presenter and entertainer, in the Da'wah contest in Ramadan which was held by a television station about the message of the Prophet Muhammad at the end of his life. This lecture can still be watched on Youtube, within 6 months after being aired live and able to capture 5,698,401 viewers (far more than any *ustadz*), and reaping more than 3500 comments, most of which felt touched by the lecture's message.³²

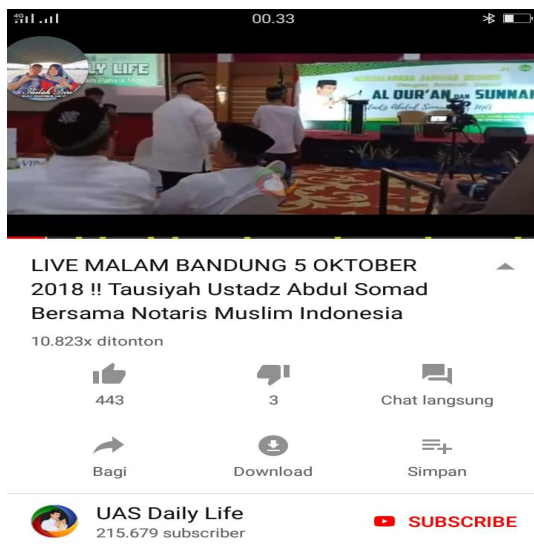
The phenomenon of the proliferation of *dzikir* and *pengajian* assemblies which amid urban society is a concrete example of packaging differently from religious content known as a joint *dzikir* together, which makes religious rituals increase and economic value is an attribute or perhaps the place of implementation.

³⁰ See RCTI - Layar Drama Indonesia, *Aku Bukan Ustadz - Fahri Kaget Lihat Rayhan Jadi Ustadz (18 Mei 2018)*, <https://www.youtube.com/watch?v=Vr5hgMqTvkI>.

³¹ Muhamad Fahrudin Yusuf, "Komodifikasi: Cermin Retak Agama Di Televisi: Perspektif Ekonomi Politik Media," *INJECT (Interdisciplinary Journal of Communication)*, Vol. 1, no. 1 (June 1, 2016): 25–42, <https://doi.org/10.18326/inject.v1i1.25-42>.

³² See Indosiar, *Ga Nyangka! Ternyata Gilang Pinter Bertausiyah Juga Loh! | Aksi Asia 2018*, n.d., https://www.youtube.com/watch?v=Z6YdQl_iL9A.

Previously the joint *dzikir* was an activity carried out after completing prayers in five time congregations, which were additional in nature because it was very possible for pilgrims who had other activities or necessities to hurry to leave the mosque/prayer room when they finished praying without participating in a *dzikir* led by the imam. Of course the clothes used are simple prayer clothes. So now, guided by a famous *Ustadz*, the *Dzikir* together ritual is the core event that is held not only in mosques or mosques, but can be in the field or anywhere, even by renting a star hotel meeting room.³³



Picture 1. One of the lectures by Ustadz Abdul Somad (UAS) in front of the Notary community held in starred hotels In Bandung and aired on Youtube

The use of uniforms with distinctive colors and models has enhanced the fashion business. Even the fashion model worn by the *ustadz* can be a fashion trend,

³³ Rozaki, "Komodifikasi Islam."

which is targeted by famous fashion brands. So that the *dhikr* assembly shows a demand side that is responded well to the supply side by fashion producers, event organizers, or electronic media if it is covered in full by Television. If it is covered by television, especially broadcast live, the economic value will increase because it will invite many advertisers, both products that are related or not related at all.



Mamah dan Aa Beraksi - Meremehkan Dosa

39 rbx ditonton



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Bagi



Download



Simpan

Picture 2: One of the episodes of *Mamah and Aa Beraksi* which can still be seen on Youtube, shows the worshipers who come from various *Majelis Ta'lim* with colorful uniforms, enlivening the Muslim Fashion Business

The ritual becomes more attractive to advertisers if it is led by *Ustadz* who is "hits" especially when bringing in guest stars of artists with Muslim fashion both *koko* clothes for male artists or trendy *abaya* worn by female artists. It also invites pilgrims to come in droves to join the *dhikr*. In

this case the motivation, intention, or purpose of the congregation is very likely to have been different from the purpose of the real *dhikr* which is to remember Allah. The same goes for the objectives and intentions of the organizers of the worship activities, especially when stipulating *infaq* or *ṣadaqah* with a certain nominal or multiples, which are required as a form of participation by audiences or attendees.



Picture 3: the Organization of great *pengajian* and *dhikr* managed by an Professionals Event organizer in one of the Funeral Parks which determines certain contributions according to the facilities offered (Food & Beverages and transportation, or just food & beverages). The choice of place is adjusted to the theme of recitation.

Media - especially audio visual electronic media such as TV and the Internet - are the main factors in the process of religious commodification. In the current global media era, in the hands of content businessmen or conveyed

messages from religious teachings are the next priority, because religion can only be used as a wrapper. Cellphone operators reap profits from credit as well as TV stations that get fees from advertisements especially if the program gets a good rating such as a *da'wah* contest event, al-Qurān memorizing contest, Muslim fashion contest or even a Muslim beauty contest.³⁴

The phenomenon of Hajj and Umrah travel is another thing that cannot be left out when talking about religious commodification.³⁵ Regardless of the Hajj and Umrah travels which run their business well in facilitating the pilgrimage and the pilgrimage, the large number of pilgrimage and Umrah pilgrims who have problems with licensing and even involved fraud and embezzlement of pilgrim funds prove that religious rituals have become business commodities. A case in point is the First Travel Hajj and Umrah's Ponzi scheme like management. In a hearing with the defendant First Travel boss Andika Surachman and his wife Anniesa Hasibuan held at the Depok District Court on February 19, 2018, it was revealed that a total of more than 63,000 failed Umrah pilgrims left with losses of more than Rp900 billion. The company recruited prospective Umrah pilgrims to join their program, among others by offering very cheap travel costs far below national standards and real costs; including also by inviting Syahrini as one of the phenomenal artists as one of the Endorse Icon First Travels.³⁶

Commodification of religion also seems to penetrate the world of education. The label "Islamic School" that is used by various schools since the level of TK / PAUD, SD,

³⁴ Yusuf, "Komodifikasi."

³⁵ Hariyanto, "Commodification of Umrah."

³⁶ See Cumericumi, *Pihak First Travel Sebut Syahrini Salah Satu Endorse Icon First Travel - Cumericam 08 September 2017*, <https://www.youtube.com/watch?v=2e5WbKTERqQ>.

SMP, or SMA, increases market demand, namely upper-class parents who want their children to get religious education. These schools are usually only accessible by middle and upper economic circles.

Another thing that is also considered part of religious commodification is the rise of industries that use the label "Sharia", namely the Islamic finance industry and Islamic halal tourism. Many conventional banks and non-bank institutions open branches or sharia divisions, in order to attract the interest of Muslims to become their customers. Islamic labels are also used to be an economic attraction in the tourism sector in order to attract Muslim tourists.

Although the limits of the concept of sharia tourism are also unclear. According to some experts, sharia tourism is a complementary product and does not eliminate conventional types of tourism. At present the concept of sharia has become a trend in the global economy, ranging from food and beverage products, finance, to lifestyle. As a new lifestyle trend, many countries have begun introducing tourism products with Islamic and halal concepts. Even countries like Japan, Australia, Thailand, New Zealand, and so on, which in fact are not Muslim-majority countries, also make sharia tourism products. The terminology of sharia tourism still has no clear limits. And still use some names that are quite diverse including Islamic Tourism, Halal Friendly Tourism Destination, Halal Travel, Muslim-Friendly Travel Destinations, Halal lifestyle, and others.³⁷

D. *Maqāṣid al-Shariah* Analysis towards Islamic Commodification

³⁷ Kementerian Pariwisata Indonesia, 'Laporan Pengembangan Wisata Syariah'
<http://www.kemepar.go.id/userfiles/2015%20Kajian%20Pengembangan%20Wisata%20Syariah.pdf>.

From the description of religious commodification in the Islamic context, several things that reveal the symptoms of religious commodification which are packaged as industries, can be grouped as: Industry of Cyber Media Fatwa Online and SMS Da'wah; Spiritual Industry through lectures, soap operas, and religious contests (da'wah or memorization of the Qur'an) on television; Event Organizer / Company that facilitates Religious rituals with all its attributes; Industrial Education Institutions labeled Islam; Islamic finance industry, and Halal Sharia Tourism Industry.³⁸

The industrial term that emerged from the discussion above shows the existence of economic rationality that underlies the development or institutionalization of several things which are considered as forms of commodification of the religion. Rationality of Economics in Islam is nothing but *maṣlahah* whose meaning is broader than just utility or satisfaction in conventional economic terminology and is the wisdom of establishing a law. Referring to Shah Waliullah al-Dihlawi – in his explanation of wisdom or rationality underlined from the Islamic legal system especially the hadith – Dihlawi develops an understanding of the layers of understanding to combine several subtle aspects of references and symbols, which illustrate the theory Islamic legal theory in theoretical language, but out of pure linguistic elements of meaning. His theory is implicitly dynamic in these religious symbols, not only has been modified with historical parts of time, but has continued to respond to the development of the world.³⁹

In the context of responding to developments, Islamic economic studies define *maṣlahah* is the nature or ability of

³⁸ Compare with Rozaki, "Komodifikasi Islam."

³⁹ Compare with Marica K. Hermansen, *The Conclusive Argument from God Shah Wali Allah of Delhi's Hujjat Allah Al-Baligha* (Leiden- New York- Koln: E.J. Brill, 1995), p. xxiii.

goods and services that support the basic elements and objectives of human life on this earth. In other words, it is said to contain *maṣlahah* when all goods and services are sought to be able to support the efforts of *hifz al-nafs* (guarding the soul), or *hifz al-dīn* (guarding religion), or *hifz al-māl* (keeping property), or *hifz al-'aql* (guarding reason), or *hifz al-nasl* (maintaining honor / family), either individually or simultaneously.

In the context of developing sharia tourism, for example, if the concept of tourism development pays attention to aspects of preserving religion by providing a place of worship for its visitors, providing halal culinary and other handicrafts that greatly help the community's economy, as well as maintaining aspects of modesty, it can be said to have fulfilled the *maṣlahah* aspect. Likewise with other forms of Islamic industry.

Regarding whether or not *maqāṣid* sharia is achieved from various forms of commodification of religion, it requires a comprehensive and holistic understanding. As long as the products and / or services offered by various religious commodity industries can support one or jointly efforts for *hifz al-din* (guarding religion), *hifz al-nafs* (guarding the soul), *hifz al-māl* (guarding property), *hifz al-'aql* (guarding reason), and *hifz al-nasl* (maintaining honor / family), it is considered as having benefit or in accordance with *maqāṣid al-shariah*. Because as suggested by Syatibi that there is no *maṣlahah* that is truly pure *maṣlahah*, and vice versa, but efforts to ensure that its benefits are far greater than its obligation must be ensured by enforcing clear rules or rules of the game.⁴⁰

In the case of *da'wah* through Cyber Online media or television, in fact the *da'i* or *ustadz* can more effectively convey religious messages through online *fatwas* or *da'wah*

⁴⁰ asy-Syatibi, *Al-Muwafaqat Fi Usul*, p. 20.

texts. Because *Fatwa* delivered through writing or visual can be seen at any time. Likewise with soap operas that intend to convey commands or prohibitions taught by Islam, the audience does not feel patronized. However, this medium opens interpretations related to religious issues freely and may even be released by incompetent people to be wild and contrary to the actual message of the teachings, which in Nadirsyah Hosen's term is feared to cause information anarchy.⁴¹

In other words, it is very possible that products from various industries turned out to interfere with the maintenance of *hifz al-dīn* or neglect the maintenance of other *maqāṣid al-sharia* because of interpretations that could only obey the desires or passions of business people without adequate religious knowledge. In this case, it must be anticipated with supervision from the authorities such as: MUI which synergizes with the government, both the Ministry of Communication and Information or the Indonesian Broadcasting Commission (in the Cybermedia and Television Industry), with the Ministry of Education and Culture on Islamic labeled Education Industry, with Financial Service Authority (*Otoritas Jasa keuangan* or OJK) in the Sharia financial industry, and with the Ministry of Tourism related to the Islamic halal tourism industry, to pay attention and ensure that the content or products delivered do not conflict with the message of the moral teachings of Islam.

In this case, the parties must agree that the products or services produced by the industry do contain definite *maṣlahah*, not just assumptions or fabrications and indeed realize a benefit or can prevent the occurrence of corruption. In addition, it must ensure that *maṣlahah* of products from various industries mentioned above is not just a personal

⁴¹ Rozaki, "Komodifikasi Islam."

or certain group interest of people but must be general and become a public need. The reasoning of *maṣlahah* does not end in the neglect of a principle set by the *Qat'i Ṣariah* or provisions previous *ijma*.

E. Conclusion

The development and institutionalization of various industries which are considered as forms of religious commodification, in essence is a necessity that cannot be dammed related to the times. But in its implementation, it must be ensured that all forms of the Industry can support efforts: *hifz ad-din* (guarding religion), *hifz an-nafs* (guarding the soul), *hifz al-mal* (guarding property), *hifz al-'aql* (guarding reason), and *hifz al-nasl* (maintaining honor / family), which is *maqāṣid al-shariah*.

Enforcement of sharia objectives in various industries is a shared responsibility, especially the government. Sharia related to *mahḍah* worship practices, as long as it is commodified as supporting elements for the implementation of worship, then it can actually be said to be an activity of *Ghairu Mahḍah* worship or *muāmalah* aspects of sharia. In the matter of muamalah, human beings are "considered" to be able to know about their benefit. In Islamic legal theory, there is a legal maxim supporting this statement namely men are well versed with their worldly business.⁴²

⁴² Abu al- Husain Muslim Ibn al-Hajjaj, *Syarkh Sahih Al-Muslim "Kitab Fada'il"*, XV, (Cairo: pustaka Mesir, 1924), p. 18. Hadith narrated from Anas.

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