

## CHAPTER II

### BUSINESS ETHICS IN ISLAM

#### A. Epistemology Business in Islam

As a perfect religion, its source based on an absolute source i.e. the Qur'an and As-Sunnah. The position of the absolute source makes Islam as a religion (*addīn*) becomes special compared to the other religions. The Qur'an and As-Sunnah are telling us to practice the substation of revelations in all aspects of life including *muamalah*. A basic matter of mualamah described in revelation includes contingent ant and restrictions.<sup>1</sup>

*Mu'amalāt* same with business that basically the people do it is for profit. However, business in Islam is not making a profit as the ultimate goal. The Muslim businessmen make the profit as a means of taqarrub, closer to God Almighty. In conducting its business activities, they put on the function of outlined in the Qur'an by God, namely *ta'abbud*, it means devoting themselves to God Almighty.<sup>2</sup> This is accordance with the Qur'an *Adh-Dhariyāt* verse 56:

 وَمَا خَلَقْتُ الْجِنَّ وَالْإِنْسَ إِلَّا لِيَعْبُدُونِ

*“I have only created Jinns and men, that they may serve Me”<sup>3</sup>*

As for the lines of *ta'abbud* and *taqarrub* to God as follows:<sup>4</sup>

1. Fostering peace and happiness.

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<sup>1</sup> Mustafa Edwin Nasution, *et al*, *Pengenalan Eksklusif: Ekonomi Islam*, Kencana Prenada Media Group, Jakarta, cet. Ke-3, 2010, p. 8

<sup>2</sup> Mardani, *Hukum Bisnis Syariah*, Kencana Prenada Media Group, Jakarta, 2014, p. 15

<sup>3</sup> 'Abdullah Yusuf 'Ali, *The Holy Qur'an: Text And Translation*, Islamic Book Trust, Kuala Lumpur, 2005, p. 655

<sup>4</sup> Mardani, *Hukum Bisnis..*, p. 16

By doing a business or commercial venture, it can be achieved a number of profit used to meet daily needs. If the need can be met, the expected tranquility and peace of the soul can be achieved.

## 2. Meet a living family.

One of the obligations of a Muslim is to give a living to his family, which includes: the wife, children and other dependents. Allah said in the Qur'an *Al-Baqarah* verse 233:

... وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ ...

*"... but he shall bear the cost of their food and clothing on equitable terms..."*.<sup>5</sup>

The Prophet Muhammad said:

*"and behold what you spend with sincere because God, then God will certainly reward, though one spoon of food that you give to your wife". (Narrated By Al-Bukhari-Muslim)*

## 3. Meet the intention of the community

Trade or business roles fulfill people's needs in society. Human lives in society, and he can not able to produce her own need without going through the others.

## 4. The means of worship

One of the conditions of hajj is capable economically. The ability of the economy will be fulfilled by working or trying (to do business).

## 5. The Alms

Allah said in the Qur'an *Al-Baqarah* verse: 271

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<sup>5</sup> 'Abdullah Yusuf 'Ali, *The Holy Qur'an...*, p. 41

إِنَّ تُبَدُّوا الصَّدَقَاتِ فَنِعِمَّا هِيَ <sup>ط</sup> وَإِنْ تُخْفُوهَا وَتُؤْتُوهَا  
 الْفُقَرَاءَ فَهُوَ خَيْرٌ لَكُمْ <sup>ج</sup> وَيُكَفِّرُ عَنْكُمْ <sup>ق</sup> مِنْ سَيِّئَاتِكُمْ  
 وَاللَّهُ بِمَا تَعْمَلُونَ خَبِيرٌ ﴿٢٧١﴾

“If you disclose (acts of) charity. Even so it is well, but if you conceal them, and make them reach those (really) in need, that is best for you: it will remove from you some of your (stains of) evil. And Allah is well acquainted with what you do”.<sup>6</sup>

#### 6. Reject The Ignored

Among the ideal goal of trade and attempt is rejecting the ignored that might happen to someone who is unemployed. Both activities to will eliminate one of the characteristic and bad attitudes of laziness and unemployment. The existence of open job opportunities will avoid negative circumstances.

As for the advantage that is mentioned is not merely provide material benefits, but also the nonmaterial. Islam looks that the purpose of charitable deed is not only oriented in *qīmah madaniyyah*. There are still three other orientations, namely *qīmah insaniyyah*, *qīmah khuluqiyyah*, and *qīmah ruhiyyah*. With the orientation of the *qīmah insaniyyah*, the company manager can also provide the benefits of a humanitarian through employment, social assistance (alms), and other assistance. *Qīmah khuluqiyyah* contains the notion that values of *akhlāqul karimah* becomes a necessity which have to must appear in every activity of the company’s management, so it will be created an Islamic brotherhood relationship, not only a simply functional or professional relationship in the company. Meanwhile, *qīmah ruhiyyah* means

<sup>6</sup> ‘Abdullah Yusuf ‘Ali, *The Holy Qur’an...*, p. 49-50

the deeds intended for getting closer to God.<sup>7</sup> So, in Islam, the resulting gains not only for himself, but the others can feel it, and all the acts adjusted with the ethics of making heart feels at peace.

## B. Business Ethics in Islam

### 1. The definition of ethics and Business

Hearing the words ethics, in this current era, it seems increasingly fade even started missing. The freedom given to human is used without limit, so, there are deviations happened in this life. Whereas one of the objectives of applying ethics is to prevent the existence of damage and irregularities caused by human behavior. An ethics is created in every work we do and has its own values, where the application of ethics in all aspects of life exists, especially with the conditions of modern society that increasingly away from ethical values.

Etymologically the term 'ethics' derives from the Greek, that is ethos which means Customs (habits), inner feelings, the tendency to do the deed.<sup>8</sup> While terminologically, the ethics has various opinions, according to K. Bertens there are three meanings of ethics: *First*, it can be used in the sense of values and moral norms as a hold for a person or group in organizing to handle their behavior. Briefly the meaning it can be formulated as "value system". *Second*, it is collection of moral principle or value (code of ethics). *Third*, it is the science of good or bad.<sup>9</sup>

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<sup>7</sup> M.I. Yusanto dan M.K. Widjajakusuma, *Menggagas Bisnis Islami*, Gema Insani Press, Jakarta, 2002, p. 19

<sup>8</sup> M. Yatimin Abdullah, *Pengantar Studi Etika*, PT. RajaGrafindo Persada, Jakarta, 2006, p.

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<sup>9</sup> K. Bertens, *Etika*, Penerbit Kanisius, Yogyakarta, 2013, p. 5

Ethics in general can be defined as a systematic attempt, through the use of reason to make sense of our individual and social, moral experience, in such a way as to determine the role that ought to govern human conduct and the values worth pursuing in life.<sup>10</sup>

Ethics is the discipline that examines your moral standards or the moral standards of a society. It asks how these standards apply to your life and whether these standards are reasonable or unreasonable, that is, whether they are supported by good reasons or poor ones.<sup>11</sup> In fact, ethics does not ask what or who the man is, but how humans should do and act.<sup>12</sup>

Other terminology close to the notions of ethics, is morality. This term comes from the Latin word *mos*, and plural *mores*, which means custom or habit.<sup>13</sup> Morality is a normative action and a model that is to be followed in our behavior.<sup>14</sup> Although the terminology is derived from two different languages, both of them have a custom, that cornerstones of good habits that must be high esteem by individuals or communities. In Arabic, the word ethics or morality called *al-khuluq* and the plural is *al-akhlāq*, meaning human effort to familiarize themselves with the customs of the good, noble and main. *Al-khuluq* terminology itself is derived from the word *al-khalq*, which means creating. Thus a person is said to have the best or the good moral, because he get

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<sup>10</sup> F.R. Faridi, *Islamic Principles Of Business Organisation And Management*, Nice Printing Press, New Delhi, 1995, p. 2

<sup>11</sup> Manuel G. Velasquez, *Business Ethics: Concepts and Cases*, 2011, p. 13

<sup>12</sup> M. Yatimin Abdullah, *Pengantar Studi Etika...*, p.7

<sup>13</sup> Haris Hidayatulloh, *Etika Bisnis Dalam Prespektif Al-Qur'an: Upaya Membangun Bisnis Yang Islami Untuk Menghadapi Tantangan Bisnis Di Masa Depan*, Pdf. Download: September 5, 2015

<sup>14</sup> F.R. Faridi, *Islamic Principles...*, p. 2

used to the customs of that good, as if he was born and created in the circumstances of the case.<sup>15</sup>

From the definitions above it can be concluded that the definition of ethics is a model of behavior that should be followed in order to harmonize human relationship and minimize abuse work for the welfare of society.<sup>16</sup>

In the Kamus Besar Bahasa Indonesia (KBBI), business is interpreted as trade effort, commercial business ventures in world trade, and sector of business.<sup>17</sup> According to Johan Arifin, the word “*business*” in Indonesia language is absorbed from the word “*business*” from English language that means activity. So, there is alleged that the meaning of “*business*” in Indonesia language is activities oriented on profit.<sup>18</sup> He also quoted understanding of business according to Satria A. Nonoputra, that business is activities oriented on profit that produce goods or services to meet the needs of the community. Business in a large definition is a general term that describes all activities and institutions that produce goods and services in everyday life.<sup>19</sup>

In General, business is a activity of organized individual to produce and sell goods and services in order to gain an profit in meeting the needs of the society, or also as an institution that produces goods and services needed by the community.<sup>20</sup>

The Qur'an invites human to trust and practice its demands in all aspects of life. It is often use the terms that are known in the

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<sup>15</sup> Haris Hidayatulloh, *Etika Bisnis...*, pdf.

<sup>16</sup> F.R. Faridi, *Islamic Principles...*, p. 3

<sup>17</sup> <http://kbbi.web.id/bisnis>, date: November 23, 2016.

<sup>18</sup> Johan Arifin, *Etika Bisnis Islami*, Walisongo Press, Semarang, 2008, p. 20.

<sup>19</sup> Johan Arifin, *Etika Bisnis...*, p. 20.

<sup>20</sup> Muhammad and R. Lukman Fauroni, *Visi Al-Qur'an Tentang Etika Dan Bisnis*, Salemba Diniyah, Jakarta, 2002, p.2

business world, such as the sale, benefit and so on (al-Tawbah, 9:111).<sup>21</sup> From the terminological point of view about business, the Qur'an has terms which represents what does it mean by business. The terms includes *altijārah*, *al-bay'u*, *tadāyantum*, and *ishtarā*. Term of *tijārah*, starting from basic word *tj-r*, *tajara*, *tajran wa tijāratan*, that meaning trade and commerce. *At-tijāratun walmutjar*; trade, commerce, *attijariyy wal mutjariyy*; about trade or commerce.<sup>22</sup>

According Ahmad, he has explains about business concepts in the Qur'an, he divides it into three main subjects, that is a profitable business, a business that is losing money and keep achievement, reward and punishment.<sup>23</sup>

*First*, a profitable business.<sup>24</sup> In view of the Qur'an, a profitable business contains three basic elements namely, knowing the best investment, make logical, healthy and sensible decisions, and follow good behavior.<sup>25</sup> According to the Qur'an, the goal of all human activities should be aimed to reach God willingness because this is the culmination of the whole goodness, without exception in business matter. How to reach the God willingness is by using it in good things completed willingness for Allah.<sup>26</sup>

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<sup>21</sup> Haris Hidayatulloh, *Etika Bisnis...pdf*.

<sup>22</sup> Prof. Dr. H. Mahmud Yunus, *Kamus Arab-Indonesia*, Mahmud Yunus Wa Dzurriyah, Jakarta, 2009, p. 76

<sup>23</sup> Dr. Mustaq Ahmad, *Etika Bisnis Islam (Business Ethics in Islam)*, terj. Samson Rahman, Pustaka Al-Kautsar, Jakarta, 2006, p. 35

<sup>24</sup> In connection with this "a profitable business" continuation of ample description placed by Ahmad on the seventh chapter with the topic "Legitimate Business Behavior". In it reviewed explicitly about freedom in economic ventures through transactions allowed by the Qur'an with observing the principles of fairness and behavior that are ordered and commendable.

<sup>25</sup> Dr. Mustaq Ahmad, *Etika Bisnis Islam...*, p. 38

<sup>26</sup> Muhammad Djakfar, *Agama, Etika, dan Ekonomi Wacana Menuju Pengembangan Ekonomi Rabbaniyah*, UIN-Malang Press, Malang, p. 143

In the Qur'an, a profitable business is a business that not only to pursuit short term worldly advantage and to the interests of the moment, but the long term advantages and can be enjoyed in the afterlife of eternal and timeless. Therefore, in order for a business to be successful and earn profit, that business should be based on decisions that are healthy, wise, prudent and not on the basis of lust.

In addition, the Qur'an instructs faithful people to keep the mandate and his promise, instructs them to be fair and to be moderate in their behavior towards Allah, so also against to human beings. Thus, according to Ahmad, the correct business behavior is in accordance with the teachings of the Qur'an and its implementation, that is not only good to other human, but also should always be near to Allah Almighty.<sup>27</sup>

*Second*, the lossy business. This business is the opposite of the first business due to the lack or absence of the elements of a profitable business according to the Qur'an. This loss is assumed as one that damage proportion of the eternal afterlife with the mortal world and limited enjoyment. For example, usury, in transactions such as these, a merchant is not only gain nothing, even worse than that he will lose his financial capital and finally get bankrupt in total, i.e. buy the world with the hereafter.<sup>28</sup>

It is confirmed that unhealthy decisions in life will result heavy losses. For example when someone prefer the life of the world than the life of the hereafter, he wants the world's magnificence and expense his unbounded towards truth and guidance, too preoccupied with wealth than to remember Allah. That decisions which ultimately will cause a very nasty behavior

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<sup>27</sup> Dr. Mustaq Ahmad, *Etika Bisnis Islam...*, p. 43

<sup>28</sup> Dr. Mustaq Ahmad, *Etika Bisnis Islam...*, p. 44

condemned by the Qur'an, such as the betrayal of trust and confidence, reduced size and weight.

*Thirdly*, maintenance of the achievements, reward and punishment. The purpose of this sentence that in the Qur'an has explained that the deeds of man cannot be separated from the spotlight and the recording of the Almighty God. Therefore, for someone who does a positive achievement will receive a reward. The other way, someone who does negative achievement will get a punishment.<sup>29</sup>

See the description, it will be drawn a conclusion that the definition of business ethics is a set of values about the good, bad, right and wrong in the world of business based on the principles of morality. In another definition, that business ethics can also be described as a set of principles and norms which the business person must have a commitment to conduct a transaction, behave, and also make a relation in order to achieve its business goals. As such, then it is necessary to understand the importance of business ethics in usability. It is intended to let someone especially businessmen have provision for doing the right thing which is based on the scientific spirit, consciousness, and the conditions based on values of moralities.<sup>30</sup>

In another terms mentioned that business ethics is a specialized study of moral right and wrong that focuses on business institutions, organizations, and activities.<sup>31</sup> Business ethics, therefore, is concerned with good and bad or right and wrong behavior that place within a business context. Concepts of right and wrong are increasingly being interpreted today to include the more

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<sup>29</sup> Dr. Mustaq Ahmad, *Etika Bisnis Islam...*, p. 48

<sup>30</sup> Johan Arifin, S.Ag, M.M, *Etika Bisnis Islami,..* p. 22

<sup>31</sup> Manuel G. Velasquez, *Business Ethics...*, p. 15

difficult and subtle questions of fairness, justice, and equity. Linda Klebe Trevino menyatakan Business ethics is about building of trust between people and organizations absolutely essential ingredient to conducting business successfully in the long term.<sup>32</sup>

The task of business ethics includes:

*First*, the ethics of business is centred on attempts to find a way to harmonize an importance of business strategy or company with the demands of morality. But harmonizing here not only means finding a position of mutual benefit between the two charges, but reconstruct an understanding of business and simultaneously implement the business as an exertion media or companies that are ethical. In terms of compliance with ethical business values on one side and not in conflict with the values of the falsehood, damage and tyranny in the business on the other side.<sup>33</sup>

*Second*, business ethics have to change community awareness on business ethics by giving a view or new viewpoints, that business is not separate from the ethics.<sup>34</sup>

## 2. Islamic Business Ethics

### a. Outline of Islamic Business Ethics

Outline of ethics of Islam is to determine human freedom to act and take responsibility because his confidence towards God. If humans were given the freedom of the will absolutely, then God does not need to contribute towards human performance. In other way, if the exclusive

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<sup>32</sup> Johan Arifin, S.Ag, M.M, *Etika Bisnis Islami*,.. p. 23. For more explain, read: Linda Klebe Trevino, 1995: 290.

<sup>33</sup> Muhammad dan Alimin, *Etika Dan Perlindungan Konsumen Dalam Ekonomi Islam*, BPFE, Yogyakarta, 2004, p. 58

<sup>34</sup> Muhammad dan Alimin, *Etika Dan...*, p. 59

belief is based on the omnipotence of God, human responsibility over his actions, or basic eschatological religion, becomes meaningless.<sup>35</sup> In the scheme of Islamic Ethics, human is the center of God's creation. *Human being is God's representative (Khalifatullah) on the Earth, "...it is He Who has made you (His) agent, inheritors of the earth ..."*<sup>36</sup> (Qur'an 6:165). Therefore, the purpose of human life is to realize the virtues of his caliph as a free agent because they are completed by free will, then able to choose between good and bad, between right and wrong.<sup>37</sup>

Islamic business ethics has actually taught by the Prophet when running the trade. The characteristics of the Prophet as a trader is having the dedication and perseverance. He is also has characteristics such as *ṣiddiq*, *Faṭānah*, *Amanah* and *Tablīgh*. He also has *istiqāmah* characteristic. *ṣiddiq* means having honesty and always has several sayings, beliefs and deeds on the basis of the values being taught Islam. *Istiqāmah* in kindness shown in firmness, patience and perseverance to produced something optimally.<sup>38</sup>

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<sup>35</sup> The technique of Qur'an in regard to this is that when talking about God itself, further putting pressure on his omnipotence: "Verily Allah will admit those who believe and work righteous deeds" (QS. 22:14), "Is it not enough that thy Lord does witness all things?" (QS. 41:53). On the other hand, when the Qur'an talks about human freedom and responsibility, in this case the freedom to act is given to human beings: "Every soul will be [held] in pledge for its deeds." (Qur'an 74:38), Say: "O ye men! Now Truth hath reached you from your Lord! Those who Receive Guidance, do so for the good of their own souls; those who stray, do so to their own loss: and I am not [set] over you to arrange your affairs." (Qur'an 10:108)

<sup>36</sup> 'Abdullah Yusuf 'Ali, *The Holy Qur'an...*, p. 167

<sup>37</sup> Syed Nawab Haider Naqvi, *Menggagas Ilmu Ekonomi Islam, (Islam, Economics, and Society)*, terj. M.saiful Anam dan M. Ufuqul Mubin, Pustaka Pelajar, Yogyakarta, 2009, p. 35

<sup>38</sup> Abdul Aziz, *Etika Bisnis Perspektif Islam Implementasi Etika Islami untuk Dunia Usaha*, Alfabeta, Bandung, 2013, p. 212

*Faṭānah* means understanding and conceiving and live up deeply every duties and obligation. This will cause the creativity and the ability to perform a variety of useful innovations. While *Amanah* means having responsibility in implementing, honesty, optimal service and *Iḥsān* (virtue) in everything. *Tablīgh* means inviting and giving sample to other party to carry out the provisions of Islamic teachings in daily life.<sup>39</sup>

b. Axiom of Islamic business ethics

Philosophically, there are four basic axioms that make up the Islamic business ethics; they are Unity, Equilibrium, Free Will, and Responsibility.<sup>40</sup>

1) Unity (*Tawhīd*)

Unity as reflection in the concept of *tawhīd* that blends the overall aspects of Muslim life in the fields of economics, politics and social into a homogenous totality, and emphasize the concept of consistency and regularity. Based on this concept, Islam offers cohesiveness of religious, economic and social in favor of forming a Unity. On the basis of this view also ethics and business becomes integrated, vertical and horizontal, forming an important equation in the Islamic system.

2) Equilibrium (*al-'Adl wa al Iḥsān*)

In all of his activity, human is required to be fair and balanced, as the words of God Almighty:

إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ ... ﴿٩٠﴾

<sup>39</sup> Abdul Aziz, *Etika Bisnis...*, p. 213

<sup>40</sup> Syed Nawab Haider Naqvi, *Menggagas...*, p. 37

“Allah commands justice, the doing of good...”.<sup>41</sup>  
(QS. An Nahl: 90)

These principles form a horizontal dimension. It means there is existence of equitable distribution of wealth and income, the necessity of helping poor and in need people, the necessity make adaptations in the relation spectrum of production, distribution, consumption and so on.<sup>42</sup>

### 3) Free Will (*Ikhtiyār*)

This principle takes a Muslim to believe that Allah has absolute freedom but he also confers freedom to human to choose two roads stretching before him, good and bad.<sup>43</sup>

In the Islamic view, humans are born given ‘free will’, i.e. with the potential to make choices among various options.<sup>44</sup> But it does not mean that God always makes human being in the correct choice. Human being has two options, namely, to obey God's provisions by making the right choices and guided by way of truth, or making the wrong choices and far away from the path of truth even against God.<sup>45</sup>

### 4) Responsibility (*Fard*)

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<sup>41</sup> ‘Abdullah Yusuf ‘Ali, *The Holy Qur’an...*, p. 321

<sup>42</sup> Syed Nawab Haider Naqvi, *Menggagas...*, p. 41

<sup>43</sup> M. Quraish Shihab, *Wawasan Al-Quran Tafsir Maudhu’i atas Pelbagai Persoalan Umat*, Mizan, Bandung, 1996, p. 403

<sup>44</sup> Syed Nawab Haider Naqvi, *Menggagas...*, p. 42

<sup>45</sup> And then, human be suggested looking for God's mercy to help find right way:

“ Show as the straightway, the way of those on whom You have bestowed Your Grace, those whose (portion) is not wrath, and who go not astray”. (QS. 1: 6-7)

With the existence of free will, then there is also a responsibility. Both these concepts are related and on the logical levels, individual freedom needs to be restricted because of the individual unlimited will means unlimited responsibility, which runs into an absurdity since both of these statements can't be correct all at once at the same time.<sup>46</sup>

To fulfill the concept of Justice and unity as we see in the God's creation, human should be held responsible for all his actions.<sup>47</sup> God Almighty emphasizes the concept of moral responsibility in Qur'an *An-Nisa* verse 123-124:

لَيْسَ بِأَمَانِيكُمْ وَلَا أَمَانِي أَهْلِ الْكِتَابِ مَن  
يَعْمَلْ سُوءًا تُجْزَى بِهِ، وَلَا يُجِدْ لَهُ مِن دُونِ اللَّهِ  
وَلِيًّا وَلَا نَصِيرًا ﴿١٢٣﴾ وَمَن يَعْمَلْ مِّن  
الصَّالِحَاتِ مِّن ذَكَرٍ أَوْ أُنثَىٰ وَهُوَ مُؤْمِنٌ  
فَأُولَٰئِكَ يَدْخُلُونَ الْجَنَّةَ وَلَا يُظْلَمُونَ نَقِيرًا



*“Not your desires, nor those of the People of the Book (can prevail): whoever works evil, will be requited accordingly. Nor will he find, besides Allah, any protector or helper. If any do deeds of righteousness, - be they male or female - and have faith, they will*

<sup>46</sup> Syed Nawab Haider Naqvi, *Menggagas..*, p. 46

<sup>47</sup> Muhammad, *Etika Bisnis Islami*, UPP-AMP YKPN, Yogyakarta, 2004, p. 56

enter Heaven, and not the least injustice will be done to them”.<sup>48</sup>

It also mentioned in Qur’an An-Nisa’ verse 85:

مَنْ يَشْفَعْ شَفَعَةً حَسَنَةً يَكُنْ لَهُ نَصِيبٌ مِّنْهَا <sup>ط</sup>

وَمَنْ يَشْفَعْ شَفَعَةً سَيِّئَةً يَكُنْ لَهُ كِفْلٌ مِّنْهَا <sup>ق</sup>

وَكَانَ اللَّهُ عَلَىٰ كُلِّ شَيْءٍ مُّقِيتًا ﴿٨٥﴾

“Whoever recommends and helps a good cause become a partner therein: Whoever recommends and helps an evil cause, shares in its burden: and Allah has power over all things”.<sup>49</sup>

The concept of responsibility is specified in Islam. *First*, the responsibility that is united with the human empire status as the representative of God on Earth. *Second*, the concept of responsibility in Islam essentially is voluntary and should not be confused with forcefulness.<sup>50</sup> Allah said in Qur’an An-Nisā’ verse 29:

يَا أَيُّهَا الَّذِينَ ءَامَنُوا لَا تَأْكُلُوا أَمْوَالِكُمْ

بَيْنَكُمْ بِالْبَطْلِ إِلَّا أَنْ تَكُونَ تِجَارَةً عَن

تَرَاضٍ مِّنْكُمْ <sup>ج</sup> ... ﴿٢٩﴾

“ O you who believe, devour not your property among yourselves by illegal methods except that it be trading by your mutual consent... ”.

<sup>48</sup> Abdullah Yusuf ‘Ali, *The Holy Qur’an...*, p. 103

<sup>49</sup> ‘Abdullah Yusuf ‘Ali, *The Holy Qur’an...*, p. 100-101

<sup>50</sup> Syed Nawab Haider Naqvi, *Menggagas..*, p. 47

Responsibility in Islam is multi level and centered both on the micro level (individual) and macro levels (Organization and Society). Responsibility in Islam even simultaneously present in the micro and macro levels (for example, between the individual and the various institutions and the strength of the community).<sup>51</sup>

According to M. Quraish Shihab was quoted by Muhammad, Islamic business principles in the context of the provisions are set out in the Qur'an and the context of the business least grouped in three large groups:<sup>52</sup>

1. Relating to the heart/trust businesses, namely:
  - a. Businesses men needs to have the correct motivation and intention in the context of searching and giving basic necessity in order to worth of worship.
  - b. The property belongs to God's mandate and submitted to human beings so that they exert appropriate God's message. Thus, the property in the Muslim entrepreneur's hands is a medium to achieve the goal. He must have a social function.
  - c. The property is a test.
  - d. God is the donor of sustenance.
  - e. God assures the sustenance of his creatures.
  - f. Sustenance not only material, but also immaterial nature/ spiritual.
2. With related to the businessmen's morals and behavior.

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<sup>51</sup> Muhammad, *Etika Bisnis...*, p. 57

<sup>52</sup> Mardani, *Hukum Bisnis...*, p. 32

a. Honesty.

The Hadith of Prophet Muhammad (PBUH):

عَنْ عُقْبَةَ بْنِ غَامِرٍ، قَالَ: سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، يَقُولُ: الْمُسْلِمُ أَخُو الْمُسْلِمِ، وَلَا يَحِلُّ لِمُسْلِمٍ بَاعَ مِنْ أَخِيهِ بَيْعًا فِيهِ عَيْبٌ إِلَّا بَيَّنَّهُ لَهُ.

*From 'Uqbah bin Amir said, I heard Rasulullah (PBUH) said: "Muslims are brothers Muslims, not allowed a Muslim selling one sales associate who have disgrace without explain it."*<sup>53</sup> (Ibn Majjah)

b. Fulfillment of the promises and agreements.

Al-Qur'an and Sunnah explicitly commanded to complete all kinds of promise and covenant agreement. It is found in The Qur'an *Al-Isra* ' verse 34:

...وَأَوْفُوا بِالْعَهْدِ ۗ إِنَّ الْعَهْدَ كَانَ

مَسْئُولًا

*"... and fulfill (every) engagement. For (every) engagement will be enquired into (on the Day of Reckoning)".*<sup>54</sup>

c. Tolerance, flexibility and friendliness.

أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ رَحِمَ اللَّهُ رَجُلًا سَمَحًا إِذَا بَاعَ وَإِذَا اشْتَرَى وَإِذَا اقْتَضَى.

<sup>53</sup> Ibnu MAjah Abu Abdillah Muhammad bin YAzid Al-Qazwini, *Sunan Ibnu Majjah*, ed. Muhammad Fuad Abdul Baqi, Daru Ihyail Kutub Al-Arabiyaah-Faisal Isa Al-Halabi, Vol II, hal 755.

<sup>54</sup> 'Abdullah Yusuf 'Ali, *The Holy Qur'an...*, P. 331

Indeed The Prophet Muhammad (PBUH) said:  
“*God bless someone friendly and tolerant in selling, buying, and collect debts.*” (Al-Bukhori)

3. Third, related to the development of property/gain and profit.
  - a. The halal principle (it is not allowed to trade forbidden). For example, selling carrion, blood, pork.
  - b. Mutual acceptance (it is not allowed to buy and sell with either {al-bay'I ikrah}).
  - c. Benefits (it is not allowed to conduct trading activity that is not useful).
  - d. The balance (between buyer and seller advantage must be balanced).
  - e. The clarity of intent so that interaction is not potentially gets dispute or enmity.

### C. Business Responsibility In Islam

#### 1. The Definition of Responsibility

Responsibility in Arabic the same definition with the word مسؤولية i.e. accountability, ضمانية is assured.<sup>55</sup> While in Kamus Besar Bahasa Indonesia (KBBI), responsibility is a situation that is obligated to bear everything (in case nothing can be claimed, reproached, stood trial, and so on).<sup>56</sup>

Whereas in the dictionary of philosophy, it is explained that the existence of the responsibility concept is based on three ideas, which were as follows:<sup>57</sup>

- a. Obligations. There are actions that should and can be run by a rational being.

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<sup>55</sup> K. Bertens, *Etika ...*, p. 99

<sup>56</sup> <http://kbbi.web.id/tanggung%20jawab>, date: November 23, 2016

<sup>57</sup> Lorens Bagus, *Kamus Filsafat* ed. 1, PT. Gramedia Pustaka Utama, Jakarta, 1996, p.

- b. Liability/immunities (the possibility to get sued). The omission of a person against his actions can be subject to punishment.
- c. The obedience of a person against his actions is related to rewards and compliments.

In philosophy, the definition of responsibility is the human's ability who realizes that all of his actions always have consequences. Deed that has no responsibility is based on the knowledge and awareness that should have done but did not do well.<sup>58</sup>

In the responsibility contained causes, people responsible for something that have caused by them. However, to be responsible, it is not enough to be motive, he is also need to be the free motive. Freedom is an absolute requirement for responsibility.<sup>59</sup> The concept of human freedom and responsibility, which was introduced by Islam to the world at the beginning of the 7th century, deeply connected with human being in his individual capacity: "*creating and arousing you (from the dead) it is just as (creating and stirring up) just one soul ...*" (31: 28). And however he was fully responsible for what he did, both in the world and in the day of vengeance.<sup>60</sup>

But according to scientists, the definition of responsibility is as follows:

- a. According to K. Bertens, defined as follows:  
 "Responsible means able to answer, when asked about the deeds done. The responsible person can be requested an explanation of the vagaries of their act and not only he can

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<sup>58</sup> Muhammad Mufid, *Etika dan Filsafat Komunikasi*, Kencana Prenada Media Group, Jakarta, 2009, p. 243

<sup>59</sup> Syed Nawab Haidar Naqvi, *Ethics and Economics: An Islamic Synthesis*, Terj. Husin Anis dan Asep Hikmat, Mizan, Bandung, 1985, p. 73

<sup>60</sup> Syed Nawab Haidar Naqvi, *Ethics and...*, p. 75-76

answer but because he should answer. Responsibility means that people should not avoid, when requested an explanation of his actions. That answer must be given to the self, society and God.”<sup>61</sup>

b. Prof. Burhan Bungin, defined as follows:

“Responsibility is restriction of freedom possessed by human beings, without decreasing the freedom itself. There is nothing to limit someone freedom, but the other’s freedom. If we are free to do it, then other people also have the right to be free from the consequences of the implementation of our freedom. Thus, human freedom has to be managed so that confusion doesn't happen. And norms to maintain that freedom are social responsibility. Own responsibility is the implementation of the human nature as social creature.”<sup>62</sup>

c. Drs. O. P. Simorangkir, defined as follows:

“Responsibility is the obligation of all who bear or bore into the task, with all the consequences of good or bad action. In terms of action or good deeds, then the responsibility means obligations or that works well. In this case the Act or deed was bad then the responsibility means compulsory to bear due to the Act or bad deed.”<sup>63</sup>

d. Syed Nawab Haider d. Naqvi, he defines as follows:

“Responsibility is a dynamic principle that deals with human behavior. Man must evolve to achieve perfection,

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<sup>61</sup> K. Bertens, *Etika*, PT. Gramedia Pustaka Utama, Jakarta, 2000, p. 125

<sup>62</sup> Muhammad Mufid., p.243-244. Taken from: Prof. Dr. H. M. Burhan Bungin, S.Sos. M.Si., *Sosiologi Komunikasi*, Kencana Prenada Media Group, Jakarta, 2006, p. 43

<sup>63</sup> O.P. Simorangkir, *Etika Bisnis Jabatan dan Perbankan*, Rineka Cipta, Jakarta, 2003, p.

and a person should not have to be tied to his last period or confined within the confines of his time.”<sup>64</sup>

e. Rafik Issa Beckun, was quoted by Muhammad, R. Lukman Fauroni, defines as follows:

“The conceptions of the responsibilities in Islam have a double layered nature and focused both on the micro level (individual) or macro level (organizations and social) that both have to be done collectively.”<sup>65</sup>

Based on the recent understanding, it can be concluded that the responsibility is an obligation of a person in a bear all the result of the actions taken and must not avoid when asked for an explanation of his actions. Responsibility is the micro as well as macro, where is the responsibility given to itself, the public at large and to the Lord.

The responsibility can be direct and indirect. There are 2 kinds of responsibility, i.e.: retrospective and prospective responsibility. Retrospective responsibility is the responsibility for past act and all its consequences, while the prospective responsibility is responsibility for future act. Enactment of both responsibilities, that there is no responsibility, if there is no freedom.<sup>66</sup>

## 2. Terms of Responsibility in Business

In terms of responsibilities, there are at least three conditions introductions of moral responsibility, they are:<sup>67</sup>

*First*, the Act or deed is done by a rational private. The person with mature thinking and it functions normally function normally, so he is aware and knows what he does.

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<sup>64</sup> Syed Nawab Haidar Naqvi, *Ethics and Economics...*, p. 87

<sup>65</sup> Muhammad and R. Lukman Fauroni..., p. 17

<sup>66</sup> K. Bertens, *Etika...*, p. 100-101

<sup>67</sup> A. Sonny Keraf, *Etika Bisnis Tuntutan dan Relevansinya*, Kanisius, Yogyakarta, 1998, p.

In this case, the culprit is able to tell which is good and bad. He knows that particular behaviors are morally bad in nature while other behaviors are morally good.

*Secondly*, the responsibility can only be relevant and required of someone who does according his free will. This means the person does the action that is not in a State of forced. The culprit does a certain action of one free will without coercion and the freely according to his will, so if there is anything the offender may be subject to responsible answer.

*Third*, the responsibility also requires that persons who commit certain actions are indeed willing to perform it. This requirement is especially relevant in regard to the second condition above. It is possible if someone get a certain situation such he is forced to perform an action. This situation mainly occurs when a person is faced with only one option. There is only one alternative. It looks as if he can only choose that alternative. Even he cannot choose the alternative. In such circumstances, it looks as if this person is indeed forced. It means according to the second situation above, he cannot be responsible for his choice because no other way. Therefore it is not relevant to demand responsibility from these people.

However, if that person is in that situation, whereas he cannot do other way but choose just one alternative, he would still be required to take responsibility for his actions. Because in such situations he himself ready (with the conscious and free) choose an alternative that just one and could not be avoided.

Not much difference with three terms, Islam also has three terms for a person who is asked to liability, including puberty, wise and has the ability to carry it out. The three minimum requirements

reveal the existence of the necessity of physical maturity, the maturity of intellect, and other forces.<sup>68</sup>

In the life of the world, someone has the responsibility on himself, family, society and State. Even responsible to his religion. This responsibility is outlined by God and also accountable to him. Therefore the intention to work or effort should be based because of God. If the intention is intended for God, then it will have dimensions of worship, which certainly will get in Exchange for a reward from God, in addition to material rewards because of his efforts.

In Islam the responsibility is a fundamental teaching, especially if it is associated with problems of economic freedom or business. As its consequence, every individual will be asked for responsibility on the day of judgment over what he has done in this world. For Business, the concept of responsibility is a form of restrictions and rules that can make the business that can manage to walk without leaving the rail-rail that had been outlined by law and *Shari'ah*.<sup>69</sup>

### 3. Business Responsibility in Islam

The responsible business manner in ethics includes:<sup>70</sup>

- a. The only ethic that is useful for a new world economic order is a responsible ethics of realist economists with idealist horizon. It also requires some kind of ethical ideal and values in doing business, even demanding realistically the consequences of predictable economic decision the consequences, especially if the consequences are negative, and also requires responsibility.

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<sup>68</sup> Ali Yafie dkk, *Fiqih Perdagangan Bebas*, Teraju, Jakarta, 2003, p. 36

<sup>69</sup> Johan Arifin, *Etika Bisnis...*, p. 145

<sup>70</sup> Hans Kung, *Etika Ekonomi-Politik Global Mencari Visi Baru bagi Kelangsungan Agama di Abad XXI (A Global Ethics for Global Politics and Economics)*, Penerbit Qalam, Yogyakarta, 2002, p. 401.

- b. How to conduct a responsible business in postmodern era is by combining business strategy with consideration of ethics.
- c. A new paradigm of this business ethics is being concretely by testing a business transaction, even though it was legitimate profits, to see whether the transaction violates the goodness or higher value, whether the transactions were in accordance with society, the environment and the future. Since the the reasoned testing against the ethical justification is difficult in every individual case, then needed some rules of politics.

One of the concept of life hereafter is the sense of responsibility, so that everyone must take responsibility for all that are in his authority. God guarantees that *“except such as believe and do righteous deeds: for they shall have a reward unfailing”* (95:6)<sup>71</sup> encouraged him to stand on Islamic Ethics in all his deeds. So every action takes decisions involving ethical choice, whatever human activity, good economy and others.

According to Islam, the equality is not enough. Faith leveler everyone according to citizenship issues, but there is a difference of degree level that follows little or big responsibility based on science. Islam puts the individual in this world as the center point, so it is with the world economy. He should be able to issue creative insistences.

Human being in Islamic perspective is theomorphic (the shadow of God) that keep the spirit of God in himself, but he also tends to be stingy or love treasure. Therefore he enjoys freedom that demands responsibility and ethical boundaries. In the view of Islam, hosts, life on Earth and humanity itself form a

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<sup>71</sup> Hakim Abdul Hameed, *Aspek-aspek Pokok Agama Islam* terj. Ruslan Shiddieq, PT Dunia Pustaka Jaya, Jakarta, 1983, p. 151-152.

unity which combines the capabilities of the material and spiritual strength with the of human theomorphic characteristic. Humans as an integral part of the universe have to live in balance with this unity. Islam wants the free will as well as the responsibility of man could join the legal balance of the universe and created a fair socio economic layout and usable within the framework of unity and achieve extended material happiness without depriving his spiritual happiness.<sup>72</sup>

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<sup>72</sup> Hakim Abdul Hameed, *Aspek-aspek...*, p. 152-153.