

MAQĀṢID AL-SYARĪ'AH'S REVIEW OF THE MARKETING OF MEAT OF ANIMALS THAT DO NOT HAVE A SLAUGHTER PERMIT FROM AN ANIMAL HEALTH CLINIC IN ACEH BESAR REGENCY

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Abstract

This study examines the review of *maqāṣid al-sharī'ah* on the marketing practices of animal meat that lack a slaughter permit from an animal health clinic in Aceh Besar Regency. In practice, there are still meat traders who market animal meat without obtaining an inspection and slaughter permit from an animal health doctor at the Slaughterhouse (RPH), especially at certain times, such as during the meugang period. This study aims to analyze the marketing pattern of animal meat in Aceh Besar and assess its conformity with the principles of *maqāṣid al-syarī'ah*. This research is empirical legal research (field legal research) with a socio-legal and conceptual approach. Data were obtained through interviews and literature studies, which were then analyzed descriptively and prescriptively. The results of the study show that the marketing of animal meat in general has been under the supervision of animal health clinics. However, the supervision does not run optimally on certain days, thus allowing the circulation of animal meat that is not fit for consumption. The practice of marketing meat without a slaughter permit is not in line with *maqāṣid al-syarī'ah* because it has the potential to cause *maḍarrah* and is contrary to the purpose of Islamic law in safeguarding the benefit of the community.

Keywords: *maqāṣid al-syarī'ah*, meat marketing, animal slaughter permits.

Abstrak

Penelitian ini mengkaji tinjauan *maqāṣid al-syarī'ah* terhadap praktik pemasaran daging hewan yang tidak memiliki surat izin potong dari klinik kesehatan hewan di Kabupaten Aceh Besar. Dalam praktiknya, masih ditemukan pedagang daging yang memasarkan daging hewan tanpa melalui pemeriksaan dan izin potong dari dokter kesehatan hewan di Rumah Potong Hewan (RPH), khususnya pada waktu-waktu tertentu seperti meugang. Penelitian ini bertujuan untuk menganalisis pola pemasaran daging hewan di Aceh Besar serta menilai kesesuaiannya dengan prinsip *maqāṣid al-syarī'ah*. Penelitian ini merupakan penelitian hukum empiris (field legal research) dengan pendekatan sosio-legal dan konseptual. Data diperoleh melalui wawancara dan studi kepustakaan, yang selanjutnya dianalisis secara deskriptif dan preskriptif. Hasil penelitian menunjukkan bahwa pemasaran daging hewan pada umumnya telah berada di bawah pengawasan klinik kesehatan hewan. Namun, pengawasan tersebut tidak berjalan optimal pada hari-hari tertentu, sehingga memungkinkan peredaran daging hewan yang tidak layak konsumsi. Praktik pemasaran daging hewan tanpa izin potong ini belum sejalan dengan *maqāṣid al-syarī'ah* karena berpotensi menimbulkan *maḍarrah* dan bertentangan dengan tujuan hukum Islam dalam menjaga kemaslahatan masyarakat.

Kata Kunci: *maqāṣid al-syarī'ah*, pemasaran daging hewan, izin potong hewan.

INTRODUCTION

The increase in the need for animal meat consumption in Aceh Besar has an impact on the circulation and marketing of meat that is not guaranteed halal, both in terms of Islamic law and health. One of the problems faced in the field is that there are still many practices of slaughtering animals without following the procedures regulated in Islamic law and applicable health regulations, one of which is related to the fulfillment of animal slaughter permits by animal health clinics. In this case, the fulfillment of the Animal Slaughter Permit (SIPH) at the Aceh Besar Animal Health Clinic is one of the important steps in this surveillance effort. With SIPH, it is hoped that it can ensure that animal slaughter is carried out in accordance with Islamic law and applicable health standards, so that meat circulating in the community is safe for consumption and halal according to Islamic teachings. So, the important thing that needs to be implemented is the aspect of supervision.

Supervision of the circulation of animal meat that is not in accordance with the provisions of Islamic law and laws and regulations is very important, especially to maintain safety, health and compliance with Islamic sharia, which in Islam is regulated based on *maqāṣid al-sharī'ah*. *Maqāṣid al-syarī'ah* (the purposes of Islamic sharia) serves as a basic principle in safeguarding the welfare (*maṣlahah*) of mankind. One of the basic principles of *maqāṣid al-syarī'ah* is to protect the soul and

health of the ummah.¹ Therefore, supervision of the circulation and marketing of animal meat must pay attention to the principles of *maqāṣid al-syarī'ah*, which include aspects of safety, health, and the feasibility of meat for consumption. *Maqāṣid al-syarī'ah* is a basic concept in Islamic law that aims to achieve the benefit of mankind through the protection of five fundamental aspects, namely preserving and protecting religion (*ḥifẓ al-dīn*), preserving the soul (*ḥifẓ al-naḥs*), preserving the intellect (*ḥifẓ al-'aql*), preserving offspring (*ḥifẓ al-nasl*), and preserving Treasure (*ḥifẓ al-māl*).²

In terms of the supervision of the circulation and marketing of animal meat for consumption in Aceh Besar, the principle of *maqāṣid al-syarī'ah* is a very important guideline to ensure that the meat in circulation meets health, halal, and quality standards in accordance with Islamic teachings. Thus, the principle of *maqāṣid al-syarī'ah* is the main basis in supervising the circulation and marketing of animal meat in Aceh Besar. The efforts made by the local government are not only to ensure food health and safety, but also to maintain the sustainability of Islamic law in the aspect of public consumption. This shows that the principle of *maqāṣid al-syarī'ah* is not only relevant in the context of worship, but also in daily life, including in the regulation of food and public health.

Therefore, in Islam, the government's involvement in supervising livestock meat trade transactions also receives special attention, so that the marketing does not conflict with Sharia values. This is done so that the establishment of sharia law as a form of *maqāṣid al-syarī'ah* and the goals of the government can be achieved.³ Ar-Raisūnī explained *maqāṣid al-sharī'ah* as the goal that this sharia wants to achieve to realize the benefits of society.⁴ According to Imam Al-Ghazālī, *maqāṣid al-syarī'ah* is a safeguard against the aims and objectives of sharia and a fundamental effort to survive, withstand the factors of damage and also encourage the occurrence of prosperity.⁵ Abd Al-Wahhāb Khallāf mentioned *maqāṣid al-syarī'ah* as a general goal when Allah SWT established His laws to realize the benefits of human beings by fulfilling the needs of *ḍarūriyyāt*, *ḥajjiyyāt*, and *taḥsīniyyāt*.⁶

From some of these opinions, it is clear that *maqāṣid al-syarī'ah* is the intention of Allah SWT as the maker of sharia to provide benefits to humans, namely in the form of fulfilling various needs of *ḍarūriyyāt*, *ḥajjiyyāt*, and *taḥsīniyyāt* so that humans can live in goodness to become good servants of Allah SWT. The goal in

¹Nadillah, Irta, and Muhammad Iqbal. 2024. "Analysis Of Mustahiq Criteria For Productive Zakat In Baitul Mal West Aceh In Maqashid." 5(2): 557-74.

²Khalil Al Farahidy, Khaeruddin Hamsin, Aris Fauzan. 2016. "The Concept of Maqāshid Syariah As-Syātibi in the Book Al Muwāfaqāt." 12(2): 1-23.

³Asafri Jaya, *Konsep Maqāṣid Al-Syarī'ah Menurut Al-Syātibi*, (Jakarta: Raja Grafindo Persada, 2016), p. 5.

⁴Aḥmad Ar-Raisūnī, *Nazariyyah al-Maqāṣid Inda Al-Imam Ash-Syātibi*. This 3. (Cairo: International Institute of Islamic Studies, 2006), p. 19.

⁵Fauzia and Riyadi, *Prinsip Dasar Ekonomi Islam Perspektif Maqāṣid Syarī'ah*, (Jakarta: Prenamedia Group, 2018), p. 41.

⁶Deski, "Maqāṣid Syarī'ah Menurut Abd Al-Wahhāb Khallāf", *Jurnal Al-Furqan*, Vol. 7. No. 1, (2022), p. 203.

maqāṣid al-syarī'ah is that every *maṣlaḥah* be it in the form of benefits achieved or *maḍarrah* that is avoided, so the substance of *maqāṣid al-syarī'ah* is *maṣlaḥah*.

The scholars of the madhhab related to *maqāṣid al-syarī'ah* also have differences of opinion, but the goals are the same. Madhhab Mālikī states emphatically that the purpose of Allah SWT is to establish His laws for the benefit of mankind both in this world and in the hereafter. Therefore, *taklīf* in the field of law must come down to the purpose of the law. According to him, *maṣlaḥah* is the maintenance of five main aspects, namely religion, soul, intellect, heredity and property.⁷ Meanwhile, the Shafi'i school interprets *maqāṣid al-sharī'ah* to be able to reject or avoid damage and attract benefits.⁸ *Maqāṣid al-syarī'ah* has three scopes. Imam Al-Syātibī calls it *ḍarūriyyāt*, *ḥajīyyāt*, and *taḥsīniyyāt*. The first scope, *ḍarūriyyāt*, is the enforcement of religious and worldly interests. That is, when *the ḍarūriyyāt* is lost, the benefits of the world and even the hereafter will also be lost, so that there will be damage and even the destruction of life. *This Ḍarūriyyāt* is also a state in which a need must be met immediately; if ignored, it will pose a danger that risks the destruction of human life.⁹

If the above five aspects can be realized, then a noble and prosperous life will be achieved in this world and the hereafter, or in Islamic economics, commonly known as *fiqh*, the fulfillment of the needs of the community will have an impact called *maṣlaḥah*, because these five things are basic needs that must be met by each individual in society. If one of these five things is not fulfilled properly, then life in the world will not be able to run perfectly, and it will hurt a person's survival.

The second scope of *maqāṣid al-syarī'ah* is *ḥajīyyāt* as a state of simplifying life, by eliminating difficulties or making better maintenance of the five basic elements of human life. *Ḥajīyyāt* is interpreted as a condition for the fulfillment of the needs of life; it will be able to add value to human life, and it can increase efficiency, effectiveness, and added value in human activities. *Ḥajīyyāt* is also interpreted as fulfilling secondary needs or as a complement and support for human life.¹⁰ While the third scope of *maqāṣid al-syarī'ah* is *taḥsīniyyāt*, which means doing good habits and avoiding bad ones according to what common sense knows. Although it is most likely not to add efficiency, effectiveness, and added value to human activities. *Taḥsīniyyāt* is also commonly known as tertiary needs, or synonymous with needs that are close to luxury.¹¹

This includes in terms of supervision of the circulation and marketing of animal meat for public consumption, as happened in the supervision of the circulation and marketing of animal meat in Aceh, especially Aceh Besar Regency. The circulation of animal meat in Aceh Besar is especially in large quantities in the

⁷ Muttakin, "Hubungan *Maqāṣid Al-Syarī'ah* dengan Metode *Istinbāt Hukum*", *Jurnal Analisis*, Volume 17, Nomor 1, (2017), p. 120.

⁸ *Ibid.*

⁹ Fauzia dan Riyadi, *Prinsip Dasar Ekonomi...*, p. 66.

¹⁰ Wike Parnama Sari, *Konsep Maqāṣid Al-Syātibī Tentang Kebutuhan dan Relevansinya Terhadap Kebutuhan Buruh di Desa Sari Mulyo Kec Sukaraja*, (Bengkulu: IAIN Bengkulu, 2016), p. 17.

¹¹ Fauzia dan Riyadi, *Prinsip Dasar Ekonomi...*, pp. 66-67.

days leading up to Eid, such as *Meugang* day. However, it is also undeniable that the circulation of meat in Aceh Besar also continues to occur every day, especially beef and goat. This meat is imported from villages slaughtered by the community and traders, who are also slaughtered without involving the Aceh Besar animal health clinic.¹² The level of meat sales in Aceh from year to year has increased. Since the beginning of 2019, BPS Aceh) Noted that meat such as beef reached 10,416.20 thousand tons per year, the government has made efforts in order to increase beef production, such as the development of animal feed, improving seed quality and eradicating diseases, as well as calculating the number of livestock.¹³

To ensure the quality of animal meat marketed for consumption by traders in accordance with sharia provisions, the Aceh Besar Regency government makes strict supervision efforts through organized supervision in accordance with the provisions stipulated in Law Number 41 of 2014 concerning Livestock and Animal Health Chapter VI Article 58 paragraph 1 states that animal meat supervision is carried out successively at the production site, at the time of cutting, storage, and collection, when it is fresh, before curing and at the time of circulation after curing.¹⁴

The involvement of the government and its agencies in supervising the circulation and marketing of animal meat is also mentioned in Law Number 14 of 2014 concerning animal husbandry and animal health that the government and local governments must ensure the safety of animal products by supervising, inspecting, testing, standardizing, and registering animal products. This aims to prevent and reduce the risk of disturbing human health safety from animal products that are not suitable for consumption. So it is necessary to supervise, inspect and test animal products starting from farming, production, transportation, storage, distribution and circulation.¹⁵ One form of supervision by the Government of Aceh Besar is the circulation and marketing of animal meat through the implementation of animal slaughter permits issued by animal health clinics by involving the Aceh Besar Agriculture Office in supervising the circulation and marketing of meat, through the Animal Husbandry and Health Sector. The supervision effort was carried out by forming an Animal Slaughterhouse (RPH) located in Lambaro.¹⁶

Based on the data obtained by the author through observation and interviews with the Aceh Besar Animal Health Clinic. The monitoring carried out so far has been carried out starting from providing an Animal Slaughterhouse (RPH) to ensure the health of animals and the products produced are more guaranteed, and also the determination of animal slaughter permits.¹⁷ Meanwhile, preliminary data from the Head of Livestock and Animal Health of the Aceh Besar Agriculture Office,

¹²Interview with Edi Sofyan, as a Meat Trader in Aceh Besar Regency, September 14, 2024.

¹³Central Statistics Agency of Aceh Besar Regency, 2020.

¹⁴Law Number 41 of 2014 concerning Livestock and Animal Health, chapter VI, article 58 paragraph 1.

¹⁵*Ibid.*

¹⁶Interview with Firdaus, as an Officer at the Aceh Besar Animal Health Clinic, August 13, 2024.

¹⁷*Ibid.*

interviewed by the author, stated that the supervision carried out so far through the Health Centre, which currently has 12 units in Aceh Besar Regency, is spread across 23 sub-districts. From this Health Centre, veterinarians work every day to ensure that sacrificial animals such as cows are safe to market and consume. This means that if there is an examination from a veterinarian, the animal owner will be given a slaughter permit. Another form of supervision from the Aceh Besar Agriculture Office for livestock is involving veterinarians to visit directly the livestock cages owned by the community to carry out animal health checks that will be marketed, even the Aceh Besar Agriculture Office through veterinarians also helps the community to treat livestock owned by the community, if it has been declared healthy, then the Puskesmas provides an Animal Health Certificate (SKH).¹⁸

Meanwhile, what happened in the villages in the Aceh Besar area was not according to what the author got at the time of the initial observation, where the supervision of livestock that was marketed for consumption often did not go as well as expected. Despite the efforts of the Aceh Besar Agriculture Office and Animal Health Clinic to conduct animal health checks through health centres and veterinarians, the reality is that many farmers do not get direct examinations, or only get limited examinations at certain times, such as when they are exposed to FMD (Foot and Mouth Disease) outbreaks. This causes some farm animals that are marketed to be not necessarily in a healthy condition or safe for consumption. In addition, limited access to animal health services, especially in remote areas, results in farmers finding it difficult to obtain medical services or regular check-ups. As a result, the supervision expected to ensure the health of the animals being marketed is not optimal, which poses a risk to the health of consumers.

The above information is also supported by the findings of Maulida's research which states that the livestock to be slaughtered for consumption should be carried out a health check by a veterinarian and must meet the criteria for livestock that have been determined such as being 18-24 months old, weighing at least 120 kg and a maximum of 150 kg and having a height of 80 cm. Fahira Maulida, in her study, also mentioned that the mechanism and performance of monitoring the marketing of livestock meat by the Aceh Besar Agriculture Office began with the process of checking the animals to be slaughtered. However, Maulida also mentioned that so far in the field, some people still have not checked the quality of the cattle meat they want to sell. The community only assesses the health of the animal while it is still alive, such as the cattle having shiny fur, the appetite is there, it is not sick, it is not deformed, it has a weight of 410 kg, with a market price of Rp. 130,000/kg, then the total is Rp. 53,300,000/head, and the meat of the cattle is checked, such as pressing

¹⁸Interview with Uzir, as Head of Livestock and Animal Health of the Aceh Besar Agriculture Office, January 10, 2025.

the stomach to see if the meat is good or not. If consumers are interested in buying it, there will be a buying and selling transaction between the two parties.¹⁹

The above phenomenon clearly shows that if it is found that there is animal slaughter behaviour by traders without the permission of the Aceh Besar Health clinic, it will have legal consequences. The punishment is a prison sentence of 2 years if it is proven that the meat ordered outside the Slaughterhouse (RPH) is unhealthy meat. This is considered a violation of animal welfare and violates Law Number 41 of 2014 concerning Livestock and Animal Health, as well as Article 302 of the Criminal Code. In addition, the practice of business actors who distribute animal products that do not meet sanitation requirements also violates Law Number 18 of 2012 concerning Food and can be sentenced to a maximum of 2 years in prison or a maximum of Rp 4 billion. Based on the above background, the author conducted further research with the title "A Review of *Maqāṣid al-syarī'ah* Against the Marketing of Animal Meat That Does Not Have a Slaughter Permit from Animal Health Clinics in Aceh Besar Regency".

RESEARCH METHODS

This research is an empirical legal research or *field legal research* that focuses on the study of law as practiced in people's lives (*law in action*). The object of study in this study is the marketing practice of animal meat that does not have a slaughter permit from the Animal Health Clinic in Aceh Besar Regency. The approach used is a socio-legal approach to describe and analyze legal phenomena that occur in the field, as well as a conceptual approach, using the theory of *maqāṣid al-syarī'ah* as a normative framework in assessing the practice from the perspective of the objective of Islamic law. The research data consists of primary data obtained through interviews with related parties and secondary data obtained through literature studies, including relevant primary, secondary, and tertiary legal materials.

The data that has been collected is analyzed qualitatively through the stages of data collection, data reduction, data presentation, and a conclusion is drawn. The analysis in this study is descriptive and prescriptive. Descriptive analysis was used to objectively explain the empirical reality of the marketing of meat without slaughter permits in Aceh Besar Regency, while prescriptive analysis was carried out to assess the coherence between the behaviour of business actors and the applicable legal norms and the objectives of Islamic law. In this context, the theory of *maqāṣid al-syarī'ah* is used to assess the suitability of the marketing practice with the principles of life protection, property protection, and public welfare, as well as to formulate normative recommendations regarding animal meat marketing practices that should be applied.

¹⁹Fahira Maulida, Perlindungan Konsumen Pada Transaksi Pembelian Ternak di Pasar Sibreh dalam Tinjauan Akad Jual Beli dan Undang-Undang Nomor 41 Tahun 2014 Tentang Peternakan dan Kesehatan Hewan, *Skripsi*, (Banda Aceh: Uin Ar-Raniry, 2014), pp. 6-7.

RESULTS AND DISCUSSION

A. Maqāṣid Al-Syarī'ah Theory

The term *maqāṣid al-syarī'ah* is a term that is relatively frequent, familiar, and commonly used in the study of Islamic law. Etymologically, this term is used to designate the intentions or goals to be achieved by Islamic law.²⁰ The phrase *maqāṣid al-syarī'ah* consists of two words, namely *maqāṣid* and *al-sharī'ah*, each of which has its own meaning. The word *maqāṣid* is the plural form of *al-qaṣd*, which is composed of the letters *qāf*, *ṣād*, and *dāl*, with the meaning of intention, will, purpose, and orientation towards a certain direction.²¹ Derivatively, the word *al-qaṣd* also contains the meaning of determination in taking the straight path, as Allah's guidance to the right path. This meaning, according to Ibn Manẓūr, is in line with the use of the word *al-qaṣd* in QS. al-Naḥl verse 9: "وَعَلَى اللَّهِ قَصْدُ السَّبِيلِ", which shows the concept of direction and straightness of the path set by Allah SWT.²²

The word *al-syarī'ah*—in Indonesian it is often written *sharia*—is etymologically derived from a word composed of the letters *syīn*, *rā'*, and *'ain*, which means religion, way, method, way, or foundation of life. According to Ibn Manẓūr, in *Sharia language*, it is interpreted as a path to a source of spring, which then develops its meaning as a path that must be followed by humans, the main rules of religion, and the provisions set by Allah SWT for His servants.²³ Thus, the term *al-syarī'ah* is linguistically polysemous because it has various meanings. Therefore, to limit its meaning, it is necessary to explain terminology as stated by experts.

Yūsuf al-Qaraḍāwī defines *sharia* as all the provisions and rules that Allah SWT commands His servants, such as prayer, fasting, zakat, hajj, and various other forms of goodness. Meanwhile, the definition commonly used in jurisprudence states that *sharia* is *khiṭāb* (command) of Allah SWT. which is related to the act of *mukallaḥ*, either in the form of demands (commands or prohibitions), choices (permissible or not), and the determination of *waḍ'ī* laws such as causes, conditions, *mani'*, valid, void, *'azimah*, and *rukḥṣah*.²⁴ In practice, the term *sharia* is often equated with Islamic law, as it is commonly used in legal literature in Indonesia. However, the equivalence is not entirely accurate, because Islamic law can also refer to *fiqh* as a product of scholars' understanding, while *sharia* is divine and fixed.²⁵

Based on this meaning, in simple terms, *maqāṣid al-sharī'ah* can be understood as the goals and purposes of the establishment of the *Shari'a*. To understand this

²⁰ Imanuddin, *Metode Penetapan Nasab Melalui Al-Qafah Perspektif Maqashid Syari'ah* (Banda Aceh: Pascasarjana UIN Ar-Raniry, 2021), pp. 14-23.

²¹ Achmad W. Munawwir and M. Fairuz, *Kamus al-Munawwir: Kamus Indonesia Arab* (Surabaya: Pustaka Progressif, 2007), pp. 1123-1124.

²² Ibn Manẓūr, *Lisān al-'Arabi*, Juz' 4, (Kuwait: Dār Al-Nawādir, 2010), pp. 352-353.

²³ Manẓūr, *Lisān al-'Arabi...*, Juz' 10, p. 40.

²⁴ Yūsuf Al-Qaraḍāwī, *Madkhal li Dirāsah Al-Syarī'ah Al-Islāmiyyah*, (Terj: Ade Nurdin and Riswan), (Bandung: Mizan Pustaka, 2018), p. 13.

²⁵ Abd Al-Wahhāb Khallāf, *'Ilm Uṣūl Fiqh*, Edisi Kesatu, (Terj: Halimuddin), Cet. 5, (Jakarta: Rineka Cipta, 2005), p. 172

concept more comprehensively, it is necessary to put forward several definitions formulated by scholars. Al-Yasa' Abubakar explains that the study of maqāṣid al-syarī'ah had developed long before the era of al-Syātibī, because previously scholars had discussed the theory of maṣlaḥah as the goal of the sharia. Among the early scholars who discussed it were Imām al-Juwainī, al-Ghazālī, 'Izz al-Dīn ibn 'Abd al-Salām, al-Qurāfī, Najm al-Dīn al-Ṭūfī, and Ibn Qayyim al-Jauziyyah, although al-Syātibī is credited as the figure who perfected the systematics of the theory.²⁶

Imām al-Syātibī and Ibn 'Āsyūr, as quoted by Imanuddin, define maqāṣid al-shari'ah as the laws that are imposed on humans for the realization of benefits in this world and the hereafter, or as the meaning and wisdom that are the goal of the makers of the Shari'ah.²⁷ Wahbah al-Zuhailī defines maqāṣid al-shari'ah as the meanings and purposes maintained by the Shari'ah in all or most of its provisions, as well as the secrets laid down by Allah SWT in each law.²⁸ According to Yūsuf al-Qaraḍāwī, maqāṣid al-syarī'ah is the goal to be realized by the texts and laws of the shari'a in human life, both in the form of commands, prohibitions, and abilities, which include the interests of individuals, families, communities, and ummah.²⁹

Al Yasa' Abubakar interprets maqāṣid al-syarī'ah as a benefit that Allah SWT wants to realize through the rules that He has revealed, or the purpose of the law itself.³⁰ In line with that, Abu Yasid stated that maqāṣid al-syarī'ah is the basic goal of the series of processes of establishing sharia to realize the benefits of servants, both in this world and in the hereafter.³¹ From these various definitions, it can be understood that maqāṣid al-syarī'ah is very closely related to the concept of maṣlaḥah, and it can even be said that maṣlaḥah is a general maqāṣid (maqāṣid 'āmmah) of the shari'a.³² Al-Ghazālī, as explained by Al-Yasa' Abubakar, interprets maṣlaḥah as an effort to safeguard the purpose of the shari'a (muḥāfaẓah 'alā maqṣūd al-syar'), so that the discussion of maqāṣid al-syarī'ah cannot be separated from the study of maṣlaḥah.³³

For the Shari'a, scholars categorise the benefits into three levels: ḍarūriyyāt, ḥājiyyāt, and taḥsīniyyāt (or kamāliyyāt).³⁴ The benefit of ḍarūriyyāt is a very essential primary need for human life, without which life would be corrupted or meaningless. The scholars then formulated five main goals (al-ḍarūriyyāt al-

²⁶ Al Yasa' Abubakar, *Metode Istiṣlāḥiah: Pemanfaatan Ilmu Pengetahuan dalam Ushul Fiqh* (Jakarta: Kencana Prenada Media Group, 2016), pp. 45-51.

²⁷ Imanuddin, *Metode Penetapan Nasab...*, pp. 15-16.

²⁸ Wahbah Al-Zuhailī, *Uṣūl Al-Fiqh Al-Islāmī* (Damascus: Dār Al-Fikr, 1986), p. 1017.

²⁹ Yūsuf Al-Qaraḍāwī, *Dirāsah fī Fiqh Maqāṣid Al-Syarī'ah Baina Maqāṣid Al-Kulliyyah wa Al-Nuṣūṣ Al-Juz'iyah*, 1, (Terj: Arif Munandar Riswanto), Cet. 3 ed. (Jakarta: Pustaka Al-Kautsar, 2018), pp. 17-18.

³⁰ Abubakar, *Metode Istiṣlāḥiah...*, p. 11.

³¹ Abu Yasid, *The Logic of Ushul Fiqh: Interrelativation of Reason, Revelation, and Maqashid Al-Shariah*, 1, Cet. 1 ed. (Yogyakarta: IRCiSoD, 2019), p. 60.

³² Imanuddin, *Metode Penetapan Nasab...*, p. 17.

³³ Abubakar, *Metode Istiṣlāḥiah...*, p. 35.

³⁴ M. Quraish Shihab, *Kaidah Tafsir: Syarat, Ketentuan, dan Aturan yang Patut Anda Ketahui dalam Memahami Ayat-Ayat Alquran* (Tangerang: Lentera Hati, 2013), pp. 315-316.

khams), namely to protect religion, soul, intellect, descent, and property. In the development of contemporary Islamic legal thought, several scholars have opened up space for the expansion of the scope of *ḍarūriyyāt*'s needs, such as environmental protection, freedom of society, and the protection of honor (*'ird*), as offered by al-Qurāfi.³⁵

As for *ḥājiyyāt*, it is a benefit needed to eliminate difficulties in human life, although it does not threaten the five basic needs. Examples are the provision of *rukhsah* in worship for the sick and the ability to carry out debt and receivables transactions. Meanwhile, *taḥsīniyyāt* is a complementary benefit and aims to realize perfection and beauty in human life. Although at a lower level, the benefits of *taḥsīniyyāt* are still related to the five main purposes of the Shari'ah and play a role in perfecting the overall order of human life.³⁶

B. Animal Meat Marketing Practices in Aceh Besar

Animal meat marketing is one of the important aspects of economic activities that plays a direct role in meeting people's food needs. This activity not only aims to distribute products from producers to consumers, but also increases the economic value of livestock commodities. In the context of Aceh Besar, the practice of marketing animal meat should be carried out through a mechanism that meets the provisions of animal health, food safety, and compliance with applicable regulations. However, the results of the study show that the practice of marketing animal meat in this region has not fully run according to normative provisions, especially related to the process of slaughtering animals without official permits and without health checks by the competent authorities. This condition is not only a form of violation of regulations, but also has the potential to reduce the quality of public consumption, increase the risk of disease spread, and create inequality in the food trading system.

Based on the results of an interview with Nasri (52 years old), an animal meat trader at Sibreh Market, the marketing of animal meat, such as cows or cows is ideally carried out through several procedural stages. These stages start with the purchase of livestock from the owner, then the animals are taken to the Lambaro Slaughterhouse (RPH) to undergo a health check. After being declared viable, the slaughter process is carried out by RPH officers who already have an official certificate. Traders then pay the set levy, and meat that has been declared fit for consumption is marketed at the Sibreh Market. Nasri also explained that animal slaughter permits are mandatory requirements, except at certain moments such as *meugang* days, where the practice of slaughtering in *gampongs* is generally carried out without permits and without health checks.³⁷

³⁵ Al-Qaraḍāwī, *Dirāsah fi Fiqh Maqāṣid...*, p. 27.

³⁶ Busyro, *Maqāṣid Al-Syari'ah: Pengetahuan Mendasar Mengetahui Masalah* (Jakarta: Kencana Prenada Media Group, 2019), pp. 46-47.

³⁷ Interview with Nasri, 52 years old, a resident of Gampong Sibreh, and an animal meat trader at Sibreh Market, on July 10, 2025, in Aceh Besar

Similar findings were obtained from traders at the Lambaro Main Market. Abubakar (54 years old) stated that animal meat marketed at Lambaro Market in general has gone through official procedures, including ownership of livestock documents, slaughter permits, and health checks at RPH. However, in the implementation of meugang at the gampong level, animal health checks are often not carried out, so there is a possibility that animals in sick or disabled conditions are still slaughtered and marketed.³⁸ This statement was reinforced by Rahmat Aulia (27 years old) and Syukri (30 years old), who emphasized that all traders in Lambaro Market have a cutting permit, while the practice of cutting in the gampong during meugang is generally carried out without inspection and without official permits.³⁹

Based on the results of the interview, it can be concluded that the marketing of animal meat in Aceh Besar, especially in the Sibreh Market and the Lambaro Main Market, is carried out through relatively structured stages. Traders play the role of the main actor who connects livestock owners with consumers, with RPH as the institution authorized to conduct health checks and slaughter. In general, there are four stages in animal meat marketing, namely the purchase of livestock by traders, delivery of livestock to RPH, inspection and slaughter according to health standards and Islamic law, and marketing meat to the public. However, this mechanism does not apply consistently to small markets at the gampong level, especially during meugang.

In a positive legal perspective, the procedures for slaughtering and marketing animal meat in Aceh have been regulated in various regional regulations. Qanun Aceh Number 3 of 2016 concerning the Control of Productive Female Cattle and Buffalo expressly requires every livestock owner or trader to report the slaughter plan to the RPH officer and undergo a medical examination before the slaughter is carried out. This provision is reaffirmed in the Qanun of Aceh Besar Regency Number 7 of 2018 concerning the Slaughterhouse Levy, which regulates the obligation to check animal health, including the implementation of slaughter during meugang. Thus, the obligation to obtain a slaughter permit and health checks does not only apply to traders in the parent market, but also to all parties who market animal meat to the public.

C. Maqāṣid al-Syarī'ah's Review of the Marketing of Animal Meat Without a License to Slaughter Animals in Aceh Besar

Animal meat marketing is a form of muamalah activity that occurs through a series of interactions between traders, livestock owners, and consumers. As part of muamalah activities, the marketing of animal meat—both cows, buffaloes, and goats—has various impacts. From the economic aspect, this activity provides benefits for traders through the results of selling meat to consumers, as well as

³⁸ Interview with Abubakar, 54 years old, a resident of Gampong Lambaro, and an animal meat trader at the Sibreh Main Market, on July 10, 2025, in Aceh Besar

³⁹ Interview with Rahmat Aulia and Syukri, Animal Meat Traders at the Sibreh Main Market, on July 10, 2025, in Aceh Besar.

providing financial benefits for livestock owners. However, from a health aspect, animal meat marketing also has direct implications for public health. Meat that is marketed without meeting animal health regulations and procedures is very susceptible to causing various diseases that are dangerous to consumers. Therefore, in the Islamic muamalah system, these aspects must be considered, because one of the main goals of muamalah in Islam is to maintain property (*ḥifẓ al-māl*).

The concept of *ḥifẓ al-māl* is part of the framework of law in Islam known as *maqāṣid al-shari'ah*. In the context of Islamic muamalah, there is a prohibition on eating other people's property in a tyrannical and unlawful manner, a prohibition on committing fraud, a prohibition on *gharar*, as well as a prohibition on causing harm to others. Therefore, the purpose of establishing the law in Islam is to realize the benefits (*maṣlaḥah*). In the practice of marketing animal meat in Aceh Besar, especially in the main markets such as the Lambaro Main Market and the Sibreh Market, in general, meat marketing follows the procedures and procedures for animal health checks. Traders generally have a slaughter permit from an animal health clinic through the Lambaro Slaughterhouse (RPH). Thus, the marketing of animal meat in these places is in accordance with Islamic economic law and in line with *maqāṣid al-syarī'ah*, which is to realize benefits through the protection and maintenance of property (*ḥifẓ al-māl*).

However, when viewed in the context of the marketing of animal meat without a slaughter permit that still occurs at the *gampong* level in Aceh Besar, this practice, under certain conditions, can threaten public health. Especially if the meat marketed turns out to contain diseases that are harmful to human health. Therefore, efforts to ensure the feasibility of meat for consumption must be made through thorough animal health checks. Several types of diseases in animals that have the potential to have an impact on human health include fasciolosis, brucellosis, anthrax, cysticercosis, listeriosis, and foot and mouth disease (FMD), as listed in the results of animal health examinations.

Based on the type of disease and its impact on human health, it can be concluded that every animal slaughter must be accompanied by an animal health check. In the study of Islamic business values and ethics, the assessment is not only focused on the commercial aspects and profits of traders, but also on the social and health impacts of the commodities being marketed. Therefore, from the perspective of Islamic law, the obligation to inspect animals at the Slaughterhouse (RPH) contains *maṣlaḥah* and is in line with the theory of *maqāṣid al-syarī'ah*.

In Islam, attracting benefits and rejecting harm is a fundamental part of *maqāṣid al-shari'ah*, which are the main objectives that the *shari'a* seeks to realize in every legal stipulation. *Maṣlaḥah* is understood as all forms of benefit and good aimed at by Islamic law, both in a narrow and broad sense, i.e. everything that brings benefits and prevents harm to humans. This concept emphasizes that Islamic law is not solely normative-formal, but is oriented towards the protection of human

interests as a whole, including in the economic and muamalah aspects.⁴⁰ This view is in line with the thoughts of Muḥammad Abū Zahrah and Muḥammad Sa'īd Ramaḍān al-Būṭī, who affirm that maṣlaḥah is the main benchmark in the determination of law, as long as it does not contradict the nash and basic principles of the Shari'a.⁴¹

Furthermore, Yūsuf al-Qaraḍāwī affirms that maṣlaḥah in Islamic law encompasses two main dimensions, namely rejecting harm (dar'u al-mafāsīd) and realizing benefits (jalb al-maṣāliḥ). Every form of policy, muamalah activity, or economic action that aims to avoid harm and bring benefits to society is seen as part of the implementation of maqāṣid al-shari'ah. Therefore, in the context of animal meat marketing, the obligation to check animal health and the possession of slaughter permits is not only administrative, but also a tangible embodiment of the principle of maṣlaḥah in order to protect the property, health, and safety of the community.⁴²

. By following the theory of Islamic law, the marketing of animal meat without a slaughter permit from an animal health clinic or from veterinary health officers and doctors at the Aceh Besar Regency RPH has the potential to hurt the community. Ideally, in accordance with maqāṣid al-shari'ah, the purpose of Islamic law in safeguarding property (ḥifz al-māl) should be a guideline for meat traders. Traders who do not have a cutting permit have the potential to cause maḍarrah (damage). In fact, under certain conditions, if the trader deliberately sells meat that is known to be diseased, then the act is seen as a sin because it hides defects in the object of sale and purchase. Meanwhile, if the trader does not know about the disease due to not inspecting the RPH, he can still be sanctioned because his actions have a bad impact on the community.

Thus, in the review of ḥifz al-māl as part of the maqāṣid al-shari'ah, meat merchants should ideally consider not only the profit aspect, but also the quality and safety of the meat sold to the public. This is a form of applying business ethics in Islam. The theory of maqāṣid al-syarī'ah demands that all muamalah activities be directed to realize maṣlaḥah and avoid harm. Therefore, it is imperative for all meat traders—both in the main markets and at the gampong level in Aceh Besar—to check the condition of the meat that will be marketed to RPH, solely for the sake of gaining benefits and rejecting harm.

⁴⁰ Satria Effendi M. Zein, *Ushul Fiqih*, Cet. 7 (Jakarta: Kencana Prenada Media Group, 2017), p. 148; lihat juga, Amir Syarifuddin, *Ushul Fiqh*, Cet. 2, Volume 2 (Jakarta: Kencana Prenada Media Group, 2011), p. 345.

⁴¹ Muḥammad Abū Zahrah, *Uṣūl al-Fiqh* (Terj: Saefullah Ma'shum, et al), Cet. 3 (Jakarta: Pustaka Firdaus, 2001), p. 229; lihat juga Muḥammad Sa'īd Ramaḍān Al-Būṭī, *Ḍawābiṭ al-Maṣlaḥah fī al-Syarī'ah al-Islāmiyyah* (Beirut: Mu'assasah al-Risālah, 1973), p. 23.

⁴² Yūsuf Al-Qaraḍāwī, *Siyāsah Al-Syar'iyyah fī Ḍau' Nuṣūṣ Al-Syarī'ah wa Maqāṣiduhā* (Terj: Fuad Syaifudin Nur) (Jakarta: Pustaka Al-Kautsar, 2019), pp. 109–110.

CONCLUSION

Based on the research discussion, two main points can be concluded. First, the marketing of animal meat by traders is generally carried out through a supervision mechanism and requires a slaughter permit from the Animal Health Clinic, especially through the Lambaro Slaughterhouse (RPH). The process includes the stages of buying and selling between livestock owners and traders, animal health checks by officers and veterinarians, the slaughter process at RPH, and the sale of meat to the community. However, the supervision does not run optimally on certain days, such as during the momentum of *the pandemic*. In some cases, it was found that the practice of trafficking animals was sick or defective, so that they did not obtain a slaughter permit from the Animal Health Clinic.

Second, the practice of marketing animal meat that is carried out without supervision and without a slaughter permit from the Animal Health Clinic is not in line with *maqāshid al-syarī'ah* because it contains *elements of maḍarrah* that have the potential to harm the community, especially from the aspect of life protection and public welfare. Therefore, the Aceh Besar Regency Agriculture Office needs to tighten supervision of the slaughter and marketing practices of animal meat, especially those that do not have official slaughter permits. In addition, further research can be developed using legal policy approaches and Islamic economic law perspectives to enrich normative analysis and recommendations.

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