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Embedding Islamic Economic Principles in Indonesia's Cooperative Law: Pathways to Social Justice and Economic Equity

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Abstract: *Islamic Economics constitutes a comprehensive economic framework rooted in Islamic teachings derived from the Qur'an and Sunnah, integrating moral, ethical, and value-based principles such as the prohibition of riba (usury), social justice, and communal solidarity. In Indonesia, this system finds practical expression through cooperative management as a community-driven financial institution, regulated primarily by Law No. 25 of 1992 on Cooperatives. Notably, this legislation does not explicitly incorporate Sharia economic principles, despite the proliferation of Sharia-compliant cooperatives. This study employs a descriptive qualitative methodology with a normative legal approach, utilizing literature analysis of Law No. 25 of 1992 to examine the embedded Sharia economic values. Findings reveal substantial alignment between the law's provisions and core Islamic economic tenets, particularly in emphasizing social justice, equitable wealth distribution, and mutual cooperation (gotong royong)—fundamental pillars of the Islamic economic paradigm. These synergies underscore the potential of Indonesia's cooperative legal framework to advance inclusive economic development and social equity through Sharia-compliant governance.*

Keywords: *Islamic Economics; Cooperative Law; Social Justice*

Introduction

Law No. 25 of 1992 on Cooperatives serves as the primary legal foundation governing cooperative management in Indonesia, including the rapidly growing Sharia-compliant cooperatives. This legislation defines cooperatives as business entities based on familial principles and grounded in Pancasila and the 1945 Constitution, emphasizing democratic economic principles aimed at achieving collective welfare through mutual cooperation. (UU Nomor 25 Tahun 1992, n.d.) Cooperative management in Indonesia extends beyond conventional models to encompass Sharia-compliant cooperatives that adhere to Islamic principles and teachings, such as the prohibition of riba, transparency, and distributive justice. This reflects the dynamic integration of Sharia values within community-based financial institutions, where Sharia cooperatives must align their operations with fatwas issued by the National Sharia Council-Indonesian Ulema Council (DSN-MUI) and the principles of fiqh muamalah.

Nevertheless, the highest legal framework for the establishment and management of cooperatives in Indonesia remains singularly anchored in Law No. 25 of 1992 on Cooperatives. (Pambudi, 2023) The absence of explicit references to Sharia principles within this law raises fundamental questions: to what extent does the regulation implicitly embody Islamic economic values? This issue gains heightened relevance amid the proliferation of Sharia Savings and Loan Cooperatives (KSPPS) operating across various regions, where their business activities must comply with Sharia fatwas without specific primary regulatory support. Indeed, Islamic economics as an integrated system not only rejects ribawi practices but also promotes social justice (*al-'adalah wa al-qisth*), equitable wealth distribution (*tawazun*), and communal solidarity (*ta'awun*)—philosophies inherently aligned with the spirit of cooperatives as "people's economy."

To bridge this regulatory gap, Law No. 25 of 1992 is supplemented by derivative regulations, notably Ministry of Cooperatives and SMEs Regulation No. 11 of 2017 on the Implementation of Sharia Savings, Loan, and Financing Business Activities by Cooperatives. (Taufiq, 2020) This regulation explicitly defines Sharia Savings and Loan and Financing Cooperatives (KSPPS) in Article 1(1) as cooperatives conducting savings, loan, and financing activities in accordance with Sharia principles, including the management of zakat, infaq, sadaqah, and waqf. (Permenkop Nomor.11 Tahun 2017, 2017) Furthermore, Article 1(9) stipulates that Sharia Principles refer to Islamic legal principles in cooperative business activities based on fatwas issued by the DSN-MUI. (Permenkop Nomor.11 Tahun 2017, 2017) The emergence of this ministerial regulation undoubtedly references the parent legislation, underscoring the critical need for in-depth analysis of Law No. 25 of 1992 to uncover potential harmonization between national regulations and Sharia principles.

In the context of economic globalization and the imperatives of Sustainable Development Goals (SDGs)—particularly SDG 1 (No Poverty), SDG 8 (Decent Work and Economic Growth), and SDG 10 (Reduced Inequalities)—Sharia cooperatives emerge as inclusive instruments capable of integrating Islamic economic values with national development. However, without comprehensive normative analysis, this synergistic potential risks being overlooked. This paper aims to rigorously analyze Law No. 25 of 1992 on Cooperatives to identify its implicit alignment with Sharia economic values, such as distributive justice, mutual cooperation, and rejection of exploitation. Through this approach, the study contributes not only to the discourse on Islamic economic law but also provides policy recommendations for strengthening Sharia cooperative regulations in Indonesia.

The research employs a descriptive qualitative methodology with a normative legal approach, utilizing intensive literature review of relevant legislation, DSN-MUI fatwas, and supporting literature. This analysis is particularly pertinent given the thousands of Sharia cooperative units operating in Indonesia, which still rely on ambiguous legal interpretations. Thus, this study is positioned to serve as a theoretical foundation for reforming cooperative regulations to be more accommodating of Sharia principles, while reinforcing the role of cooperatives as pillars of the ummah's economy in realizing collective prosperity.

Literature Review

Islamic Economics, alternatively termed Sharia Economics, represents a holistic economic paradigm rooted in Islamic doctrinal sources, namely the Qur'an and Sunnah (Hadith). Transcending conventional financial regulations, it constitutes an integrated socioeconomic framework interwoven with moral imperatives, ethical conduct, and communal values, prominently featuring the prohibition of riba (usury), distributive justice, and collective solidarity (Cahyani & Al Mu'arrifin, 2024). The philosophical architecture of Islamic Economics rests upon four cardinal pillars that delineate its ontological and normative foundations (Aini & Mawardi, 2025). Central to this framework is the principle of tauhid (divine oneness), positioning humanity as khalifah (vicegerents) of Allah on earth, wherein all economic resources—wealth included—remain the absolute property of the Divine. Human stewardship is thus functional and amanah-based (trusteeship-oriented), rather than proprietary in an absolute sense, mandating the utilization of assets exclusively for maslahah (public welfare) in conformity with divine injunctions (Dewi & Azzaki, 2024). Complementing tauhid, the doctrine of adl (justice) imperatives economic transactions to embody equity, repudiating exploitation, zulm (oppression), monopolistic practices, and inequitable wealth concentration. This manifests through rigorous contractual fairness (akad) and redistributive instruments such as zakat, infaq, and sadaqah, ensuring socioeconomic equilibrium (Dewantara, 2020; Robi'ah et al., 2024).

The prophetic exemplar, nubuwwah, further instantiates ethical transactionality, with Prophet Muhammad (peace be upon him) serving as the quintessential model for commerce, market conduct, and economic stewardship. Emulation entails unwavering adherence to amanat (honesty), transparency, and eschewal of gharar (excessive uncertainty), thereby institutionalizing trust as the bedrock of economic exchange (Rizal et al., 2023). Underpinning these temporal imperatives is ma'ad (eschatological accountability), wherein worldly economic agency incurs afterlife reckoning, fostering intrinsic self-regulation and a falah-oriented work ethic—encompassing success across both mundane and eternal dimensions—beyond mere pecuniary maximization (Lestari & Jubaedah, 2023). Operationally, Islamic Economics operationalizes these philosophies through justice, transparency, and sustainability imperatives across all transactional domains, while proscribing riba, gharar, maisir (speculation/gambling), and haram asset utilization (Dontes putra, 2024). Teleologically aligned with Maqāṣid al-Sharī'ah (objectives of Islamic law), its ultimate telos is falah (comprehensive felicity), realized via preservation of five essentialities: hifẓ al-dīn (religion), hifẓ al-nafs (life), hifẓ al-'aql (intellect), hifẓ al-māl (wealth), and hifẓ al-nasl (progeny), thereby engendering societal equilibrium and harmony (Nabilah & Hayah, 2022).

Mechanistically, the theory bifurcates into dual sectors: muamalah (commercial), encompassing profit-driven commerce, trade, and Sharia-compliant financing via akad instruments; and tabarru' (social philanthropy), prioritizing wealth transference and social safety nets to actualize distributive justice (Warman et al., 2023). This bifurcation underscores safeguards for intellect, property, and lineage, transcending materialistic paradigms to privilege social equity and intergenerational sustainability. Collectively, these tenets position Islamic Economic Theory as a contributory apparatus for just, resilient societies (Suherman et al., 2023).

Method

This study employs a qualitative methodology, utilizing a comprehensive literature review coupled with thematic analysis. The literature review will be conducted extensively to excavate Islamic economic values embedded within Law No. 25 of 1992 on Cooperatives. Thematic analysis will systematically identify relevant articles within the cooperative legislation, thereby formulating a comprehensive conceptual framework of falah (comprehensive welfare) within the Islamic economic context. Data analysis will proceed iteratively across three phases: data reduction, data presentation, and conclusion drawing. Data reduction involves compiling and distilling articles pertinent to Islamic economic concepts. Data presentation will adopt a narrative and systematic format, elucidating research findings in detail and structured manner. Conclusions will be drawn inductively, derived from emergent patterns and themes identified through the analytical process. The research outcomes are anticipated to make substantial contributions to understanding the Islamic economic principles inherent in Law No. 25 of 1992 on Cooperatives. Furthermore, the findings are expected to furnish policy recommendations for government authorities and economic actors in advancing Sharia-compliant cooperatives in Indonesia.

Results and Discussion

Following a meticulous article-by-article scrutiny of Law No. 25 of 1992 on Cooperatives, systematically correlated with foundational Islamic economic principles, compelling conceptual convergences emerge, underscoring the legislation's intrinsic compatibility with the Sharia economic paradigm. This alignment transcends superficial parallels, revealing embedded synergies that position Indonesian cooperative law as a de facto conduit for Islamic socioeconomic ethics. Far from coincidental, these intersections reflect Indonesia's constitutional ethos—rooted in Pancasila—resonating with universal Islamic imperatives of equity, solidarity, and welfare maximization.

The principle of justice and equality stands preeminent, crystallized in Article 5(1)(c) and (d) of Law No. 25 of 1992, which imperatively stipulate the equitable apportionment of Remaining Business Results (SHU) commensurate with individual member contributions to cooperative endeavors.(Indriani et al., 2025) This mechanism operationalizes distributive rectitude, obviating disproportionate profit accrual and instituting parity among participants—eschewing hierarchical employer-labor divides in favor of collaborative equity. Such provisions mirror Qur'anic injunctions in Surah An-Nahl (16):90, which unequivocally mandates justice (*'adl)* across all spheres, encompassing transactional fairness and cooperative stewardship. (Mukhlis, 2021) The verse's transcendent command—"Be just, for it is nearest to righteousness"—extends to economic governance, ensuring member egalitarianism in policy formulation and directional control, thereby embodying Islamic participatory ethos (shura) and consensus-building (mufakat). (Syamsuri & Ridwan, 2019) In practice, this precludes exploitative imbalances, fostering a microcosmic ummah economy where contributions dictate rewards, not capital dominance—a bulwark against capitalist inequities antithetical to Sharia.

Complementarily, the familial and communal paradigm permeates Article 3, articulating cooperatives' telos as advancing specific member welfare alongside general societal prosperity, while buttressing national economic architecture toward an advanced, equitable, and prosperous order predicated on Pancasila and the 1945 Constitution.(Fadilah & Magfur, 2023) This holistic welfare orientation dovetails seamlessly with Islamic ta'awun (mutual succor) and syirkah (partnership), as divinely ordained in Surah Al-Ma'idah (5):2. (Wardhani, 2019) The verse's clarion call—"Cooperate in righteousness and piety, but not in sin and aggression"—sanctifies joint economic ventures yielding mutual benefit, epitomized in cooperative structures. Familial asabiyyah (solidarity) herein translates to conscientious member contributions for collective upliftment, while proscribing self-aggrandizing practices deemed sinful *(ithm*). This engenders a virtuous cycle: individual prosperity cascades into communal flourishing, mirroring prophetic traditions of economic ta'awun as communal ibadah. (Muhammad Nurjihadi, 2020)

Voluntarism and openness in membership, enshrined in Article 5's stipulation of voluntary and accessible participation, further harmonizes with Islamic non-coercion axioms. (Susanti, 2019) Echoing Surah Al-Baqarah (2):256—"There is no compulsion in religion; truth stands clear from error"—this principle vests agency in individual choice, aligning faith-infused economic engagement with divine prerogative over hidayah (guidance). (Edy Syahputra et al., 2023) Absent duress, membership becomes authentic commitment, reinforcing Sharia's emphasis on ikhtiyar (free will) in muamalah, thereby mitigating exploitative conscription prevalent in conventional hierarchies. (Sudarmanto, 2023) This openness democratizes access, amplifying cooperatives' role in financial inclusion—a maqasid al-shariah priority (hifz al-mal).

Democratic governance, another cornerstone in Article 5, institutionalizes "one member, one vote" via musyawarah mufakat, ensuring accountability, transparency, and equal stewardship over cooperative trajectories. (Wulandari & Anwar, 2021) This participatory archetype consummately reflects Surah Ali Imran (3):159's prophetic exemplar of consultative leadership: "Consult them in affairs; then when you decide, put trust in Allah." (Widyastuti Wulaningsih et al., 2024) Musyawarah emerges as the cooperative's animating ruh, vesting sovereign authority in the collective, where decisions emanate from member consensus rather than elite fiat—hallmark Sharia governance. (Pramiana & Anisah, 2018) Such egalitarianism circumvents plutocratic capture, aligning with prophetic markets free from manipulation. Member-centric welfare prioritization, reiterated in Article 3, posits cooperatives as member-constructed, member-managed, and member-benefiting entities, with salutary spillovers to society via inclusive membership. (Perkasa et al., 2024) This paradigm pivots prosperity from shareholders to stakeholders, consonant with Surah Al-Hasyr (59):7's redistributive mandate: "So that it not circulate solely among the wealthy from among you." (Karnain & Rahman, 2020) Proscribing wealth concentration, cooperatives enforce participatory SHU allocation and voice parity, directly countering socioeconomic stratification.

(Abdurohman et al., 2022) The verse's equity imperative—mitigating disparities through circulation—crystallizes cooperatives' telos, transforming them into instruments of adl distributif and falah ummati.

These convergences are neither serendipitous nor peripheral; they constitute Law No. 25 of 1992's substantive impregnation with Islamic economic DNA. Cooperatives' leitmotifs—social justice, equity, gotong royong—pulse as the Sharia system's cardiac core, where active participation incarnates distributive adl, and communalism empowers ummah economics. (Indriani et al., 2025; Fadilah & Magfur, 2023) The legislation's participatory imperatives, egalitarian resource allocation, and welfare holism furnish robust scaffolding for Sharia-compliant cooperatives (KSPPS), obviating the need for wholesale supplantation. This symbiosis bears profound implications amid Indonesia's dual economy: conventional proliferation juxtaposed with burgeoning KSPPS under Permenkop No. 11/2017. (Taufiq, 2020) Existing law's Sharia affinity legitimizes hybrid models, obviating regulatory voids while amplifying maqasid fulfillment—hifz al-mal via inclusion, hifz al-nafs through stability. Critically, it challenges secularist presumptions of Sharia-economy dissonance, evidencing Pancasila's latent Islamicity in socioeconomic design.

Limitations persist: Law No. 25's generality precludes explicit riba/gharar proscriptions, necessitating derivative fatwas.(Permenkop Nomor.11 Tahun 2017, 2017) Empirical validation via KSPPS case studies could fortify normative claims, while comparative analyses (e.g., Malaysia's cooperative-sharia fusion) might illuminate optimal hybridization. Nonetheless, these findings substantiate policy pivots: amending Article 5 for DSN-MUI integration; incentivizing SHU-zakat linkages; and mainstreaming musyawarah in corporate governance. Ultimately, Law No. 25 of 1992 emerges not merely compatible, but paradigmatically resonant with Islamic economics—furnishing an indigenous, scalable blueprint for Sharia cooperatives. This fortifies Indonesia's ummah economy, advancing falah through justice, solidarity, and equity in an era demanding inclusive prosperity.

Conclusion

Law No. 25 of 1992 on Cooperatives constitutes the foundational legal framework for cooperative establishment and management in Indonesia, encompassing Sharia-compliant cooperatives. Although this legislation does not explicitly address Islamic economic principles in cooperative operations, the core tenets of Islamic economics are distinctly embedded within its provisions. These include the principles of justice, communal solidarity, honesty and openness, as well as transparent and democratic governance—constituting the vital essence (*ruh*) of Islamic economics, all systematically accommodated within the law. Notwithstanding these robust alignments, Sharia-based cooperative management necessitates supplementary prohibitions, such as the interdiction of riba (*usury)* and transactions harboring speculative uncertainty (*gharar).* Such additional regulatory imperatives have been duly accommodated through Ministry of Cooperatives and SMEs Regulation No. 11 of 2017 on the Implementation of Sharia Savings, Loan, and Financing Business Activities by Cooperatives. (Permenkop Nomor.11 Tahun 2017, 2017) This derivative framework operationalizes Sharia compliance, bridging the parent legislation's generality with fiqh muamalah specifics, thereby fortifying Indonesia's cooperative ecosystem as a conduit for falah (comprehensive welfare) and maqasid al-shariah realization. These findings affirm Law No. 25 of 1992's latent Sharia affinity, positioning cooperatives as indigenous instruments for ummah economic empowerment. Policy recommendations include: (1) explicit DSN-MUI fatwa integration into cooperative charters; (2) mandatory SHU-zakat allocations for distributive justice; (3) musyawarah training for enhanced participatory governance; and (4) empirical monitoring of KSPPS performance to refine hybrid models. Future research should explore comparative frameworks (e.g., Malaysia, Pakistan) and longitudinal impacts on financial inclusion, ensuring cooperatives' evolution as pillars of equitable, sustainable prosperity aligned with national development imperatives.

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Conflict of Interest

This article has no conflicts of interest.

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