Abstract: Abu Zahrah's Maqasid Sharia Model as a Performance Measurement System. This study try to analyze the Abu Zahrah's maqasid sharia model as a performance measurement system and use it to evaluate the performance of Islamic banks. The method used is a combination of a literature review and a survey of 97 Islamic banks in Indonesia. This study finds three dimensions of maqasid sharia. These are education, justice and community welfare. However, this study also finds that in general, Islamic banks have not yet achieved optimal maqasid sharia performance. The education dimension still has the lowest performance compared to the other two dimensions.

Islamic economics offers the concept of performance measurement, known as maqasid sharia, which aims to provide benefit (goodness) for humans in this world and hereafter. This concept encompasses both financial and social performance with the purpose of creating public welfare through maximizing benefits and minimizing harms (Zuhaili, 1997). This concept is presumed to be appropriate for directing and evaluating the performance of Islamic financial institutions, including banks. Alziyadat & Ahmed (2019), Akhan & Hassan, (2020), Amaroh & Masturin (2018), Jazil & Syahruddin (2015), Laela et al., (2018), Mergaliyev et al. (2019), Mutia & Musrifah (2017), and Soediro & Meutia (2018) develop performance measurements and examine the implementation of maqasid sharia in financial institutions.

Maqasid sharia is a universal concept. Over time, Moslem scholars have thought how this concept can be implemented in their environment. Al-Juwaini (1028-1087 AD), followed by Al-Ghazali (1058-1111 AD), placed maslahah as the core of maqasid sharia (Mohammed et al., 2015; Mulawarman & Kamayanti, 2018). The concept was later developed by a Maliki Mazhab Tunisian
scholar namely, Ibn As-Syur, (1879-1973), and also by Muhammad Abu Zahrah (1898-1974), who divides maqasid sharia into three dimensions that placed maslahah as the final goal of maqasid sharia (Zahrah, 1997). If financial institutions apply maqasid sharia as their business goal, a wider benefit will be created for the community, especially through financing activities for non-consumer (businesses) with the concept of profit sharing. Shinkafi & Ali (2017) state that Islamic banks should develop products that substantially contribute to the welfare of the community and should not only be driven by the legal form of the product. Qoyum (2018) confirms that maqasid sharia should be a major consideration in the development of Islamic financial products. Likewise, Iswanaaji & Wahyudi (2017) argue that in achieving maqasid sharia, Islamic bank operations should outreach and cover more or clients located all around Indonesia and the world.

Considering the urgency of maqasid sharia in directing business players and drive them to promote public welfare, in general, the purpose of this research is to thoroughly explore the theory and practice of maqasid sharia taken from the thought of Muhammad Abu Zahrah. His thinking on maqasid sharia has been widely used by Muslim scholars as a discourse on evaluating Islamic bank’s performance (Jazil & Syahruddin, 2015; Muhammad & Shahwan, 2013; Rusdiana & Al Parisi, 2016; Saftri & Mukhibad, 2020; Setiyobono et al., 2019; Siddique, 2019; Syafii et al., 2012; Wijayanti et al., 2020). Three dimensions of maqasid sharia based on Abu Zahrah’s thought, include educating individuals (tahdhib al-fard), establishing fairness (iqomah al-‘adl), and promoting public welfare (jalb al-maslahah). By using SLR, this study specifically analyzes the concept of maqasid sharia directly from the book of Ushul Fiqh written by Muhammad Abu Zahrah and previous studies which examine this concept. In addition, using survey data from Islamic banks, this study also analyzes Islamic banker’s perceptions of the importance of maqasid sharia as performance indicators and evaluates to what extent their performance when portrayed using Abu Zahrah model. Finally, it also develops the performance measurement for the context of Islamic banking and examines the effect between the dimensions.

This study provides at least two novelties in maqasid sharia research area. First, in substance, this paper derives variables measurement of maqasid sharia from the book of Ushul Fiqh in the chapter Maqasid Al Ahkam written by Zahrah (1997), combined with previous researchers’ analysis about Islamic bank’s performance. Furthermore, this research tests the validity and reliability of the developed measurements and also the effect between the dimensions to ascertain the applicability in Islamic banking practices. Meanwhile, most of the researchers on maqasid sharia who use Abu Zahrah’s model replicate the measurement variables from previous studies and directly use them to evaluate the performance of Islamic banking, such as Jazil & Syahruridin (2015), Rusdiana & Al Parisi (2016), Saftri & Mukhibad (2020), Setiyobono et al. (2019), Syafii et al. (2012), and Wijayanti et al. (2020).

Second, methodologically, this study applies a combination of SLR and survey methods. SLR synthesizes various relevant research findings. As a result, the facts are presented to become more comprehensive and balance with less bias (Crane et al., 2018; Fakis et al., 2014). While using the survey method, this study provides a real condition of the implementation of maqasid sharia in this industry. It is an excellent tool for measuring a wide variety of unobservable data (Horton, 2020). Most research on maqasid sharia uses secondary data from financial statements to assess performance as studied by Amaroh & Masturin (2018), Hidayat et al. (2019), Mutia & Musrifah (2017), Nawawi & Juandi (2020), and Soediro & Meutia (2018).

**METHOD**

This research has two aims. First is to investigate the theory of maqasid sharia of Zahrah (1997). Second is to assess the Islamic bank’s performance using Abu Zahrah model. For each research aim, the study consists of several questions and being addressed with different methods of analysis, as shown in Table 1.

Based on statistical data of the Central Bank of Indonesia in 2016, the total population of Islamic banks is 194, with details of 11 fully-fledged Islamic banks (IB), 23 Islamic business units (IBU) and 160 sharia rural banks (SRB). This study uses a census method by examining all population without exception. Thus, the results of this study will represent the entire population which describe accurately maqasid sharia performance. The target respondents involved in
Two types of data are required (see Figure 1). The first type is primary data which relates to the respondent's perception of *maqasid sharia* and self-assessment of their performance based on Abu Zahrah model. These data are summarized in questionnaires, which delivered through survey and guided interview. The questionnaires were sent using the national express service with a delivery time of 1-2 working days for most respondents outside Java. For SRB located in regencies or cities or districts, the questionnaires need 3-4 working days to arrive at their destination. All IB and IBU with the headquartered in Jakarta, data collection techniques are interview method and direct guided interviews with directors and heads of divisions.

The initial questionnaires were developed from previous researchers, such as Alziyadat & Ahmed (2019), Baehaki et al. (2020), Mergaliyev et al. (2019), Mohammad & Shahwan (2013), Mohammed & Taib (2015), and Mohammed et al. (2015). Then the questionnaires were modified and added according to the context of Islamic banking in Indonesia such as brotherhood in the financing, *qordhul hasan* funds and net operating margin. A focus group discussion (FGD) was conducted with seven seniors of Islamic banking practitioners to ensure that the modified questionnaires were in accordance with the conditions of the field. From the discussion in FGD, input was obtained to improve the questionnaires. The questionnaires were then revised and distributed to twenty respondents who are junior Islamic bankers in a pilot survey. We revise invalid and unreliable questionnaires both in content and words before we distribute to final respondents. The questionnaire development process is presented in the Figure 1.

Table 2 shows respondent profile. From the 194 target respondents, 97 questionnaires were returned in full, which covers 11 IB, 23 IBU and SRB. This number represents 50% of the population of Islamic banking, but the contribution of IB and IBU, which reached 100%, already represents the

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**Table 1. Research Aims, Questions, and Techniques of Analysis**

| Research Aims | Research Questions | Techniques of Analysis |
|---------------|--------------------|------------------------|
| Exploring Abu Zahrah’s model of *maqasid sharia* as a performance measurement system | 1. How did Abu Zahrah explain *maqasid sharia* written in his book of *Ushul Fiqh*? | Systematic literature review |
| | 2. How is Abu Zahrah’s model of *maqasid sharia* compared to other scholars? | |
| | 3. How Abu Zahrah’s *maqasid* model is used in previous empirical studies? | |
| Evaluating the Islamic bank’s performance | 1. How do Islamic bankers’ perceptions of the importance of *sharia* compliance as a performance indicator? | Survey |
| | 2. How is the performance of Islamic banks when portrayed using Abu Zahrah’s model? | Confirmatory factor analysis |
| | 3. What is the effect between the dimensions of *maqasid sharia* in Abu Zahrah’s model? | Regression analysis |
condition of Islamic banking. IB and IBU assets reached 97% of Islamic banking assets in Indonesia. When filling out the questionnaires, respondents could be grouped into two, namely middle-level leaders (such as group heads of finance and strategy division at IB; heads of strategic planning and reporting division at IBU; operational directors at SRB) and top-level leaders (such as directors at IB, unit heads at IBU, managing directors at SRB). As many as 63% of respondents have had mid-level leadership positions and 37% top-level positions. 51% of respondents have had working experience in banking of more than 14 years, and only 16% less than 7 years of experience.

Second, the secondary data consists of books and publication papers about Abu Zahrah’s thought on *maqasid sharia*, which are collected through the internet media and library repositories. We find the discussion about *maqasid sharia* in the book of *Ushul Fiqh* written by Zahrah (1997) in the chapter “Maqasid Al Ahkam” pages 364–366. While for published papers, no specific ways in searching strategies and techniques for selecting which studies included in a meta-analysis as part of SLR (Finfgeld-Connett, 2014). Consequently, the papers collected from the searching stage are selected using defined criteria: published in scientific journals (not popular media), written in English or Indonesia, equipped with standard numbers (ISSN) and having issuance in the online version. The keywords are as follows: “maqasid sharia”, “Abu Zahrah”, “Islamic bank”, “sharia banks”, “performance”, and “Islamic financial institution”. Besides conducting online searching to collect studies and literature data that would be used, this research also uses the technique of pearl growing searching by searching through references list of related studies.

**RESULT AND DISCUSSION**

Explanation of *maqasid sharia* by Muhammad Abu Zahrah. The explanation of maqasid sharia can be found in Zahrah (1997) under the chapter مقاصد الأحكام, “Maqasid Al Ahkam” (purposes of Islamic laws) in page 364 – 366. This section will explain sentence by sentence in Arabic texts and then
Table 3. Educating Individual Aspect

| Translation | Arabic text |
|-------------|-------------|
| Then the Islamic law is directed to three aspects. | ولذ لك اتجه الإسلام في أحكامها إلى نواح ثلاث: التباحية الأولى: تهذيب الفرد ليستطيع أن يكون مصدر خير لجماعته ولا يكون منه شر لأحد من الناس وذلك بالمبادئ التي شرعا. |
| Educating individuals so they can be a source of goodness for their ummah so that there is no badness among them. | وهى لها تهذيب النفس، وتوثيق العلاقات الاجتماعية الفاضلة و هي تشفى النفس من أدران الحقد الذي استكن في قلب ابن آدم و وذلك يكون المؤمن في إلف مع غيره ولا يكون ظلم ولا فحشاء. |
| Therefore, Allah commands people to worship as prescribed, | Therefore, a believer becomes gentler towards others and does not act injustice and cruelty. | وذكر الله أكبINOyal na al r ijah yin man takoomatul nafisatul wahdaa. |
| Worship is to educate souls, strengthen bonds in society properly. | With the condition of this society (good society as a result of education), people have a role in educating individuals as well as society. | و هي تشفى النفوس من أدران الحقد الذي استكن فى قلب ابن آدم و بذلك يكون المؤمن في إلف مع غيره ولا يكون ظلم ولا فحشاء. |
| Then the souls will be clean from the characteristics of malice, which reside in the human heart. | As examples of fasting and hajj, mean to discipline and regulate society in a clear manner. | ولذ لك اتجه الإسلام في أحكامها إلى نواح ثلاث: التباحية الأولى: تهذيب الفرد ليستطيع أن يكون مصدر خير لجماعته ولا يكون منه شر لأحد من الناس وذلك بالمبادئ التي شreu. |
| Therefore, a believer becomes gentler towards others and does not act injustice and cruelty. | ZAKAT in detail means helping each other from the rich to the needy. | وذكر الله أكبINOyal na al r ijah yin man takoomatul nafisatul wahdaa. |
| Then Allah says: “Indeed, prayer prohibits immorality and wrongdoing, and the remembrance of Allah is greater.” | Therefore, the Prophet Muhammad PBUH said, when assigning a wali to take ZAKAT: “take zakat from the rich and distribute it to the poor.” | ولذ لك اتجه الإسلام في أحكامها إلى نواح ثلاث: التباحية الأولى: تهذيب الفرد ليستطيع أن يكون مصدر خير لجماعته ولا يكون منه شر لأحد من الناس وذلك بالمبادئ التي شreu. |
| Then the Prophet Muhammad PBUH said, when assigning a wali to take ZAKAT: “take zakat from the rich and distribute it to the poor.” | “The existence of Islamic law is a blessing for all humans, as Allah says: And We have not sent you, [O Muhammad], except as a mercy to the world. And Allah says: O mankind; there has come to you instruction from your Lord and healing for what is in the breasts and guidance and mercy for the believers.” | ولذ لك اتجه الإسلام في أحكامها إلى نواح ثلاث: التباحية الأولى: تهذيب الفرد ليستطيع أن يكون مصدر خير لجماعته ولا يكون منه شر لأحد من الناس وذلك بالمبادئ التي شreu. |

translates and interprets them with supporting literature with the context of Islamic banking. Translating directly from the original book will help us to analyze the content more clearly and comprehensively.

He starts a discussion with introductory sentences which linked to the Qur’an in Surah Al-Anbiya verse 107 that Islamic laws are for creating mercy for the whole universe and Surah Yunus verse 57, that Islamic teachings are as advice, healers, guidance, mercy and mercy for believers.

The existence of Islamic law is a blessing for all humans, as Allah says: And We have not sent you, [O Muhammad], except as a mercy to the world. And Allah says: O mankind; there has come to you instruction from your Lord and healing for what is in the breasts and guidance and mercy for the believers.

According to the two verses of the Qur’an, Islamic laws are directed at three aspects. The first aspect is educating individuals (تهذيب الفرد). This aspect is shown in Table 3.
Table 4. Establishing Fairness Aspects Part 1: People are Equal Before the Law

| Translation                                                                 | Arabic text                                                                                                                                 |
|-----------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| The second aspect is establishing fairness in Islamic community, be fair among them and be fair with others. | اللائحة الثانية: إقامة العدل في الجماعة الإسلامية، العدل فيما بينهم، والعدل مع غيرهم. |
| And therefore, Allah says: “and do not let the hatred of a people prevent you from being fair. Be fair; that is nearer to righteousness.” | ولذلك قال تعالى: ولأجل أن تفبرك هؤلاء قوم على أن تفبركوا علواً مادماً هوَ قربًا لملتقومٍ (المائدة: 8) |
| Fairness in Islam has a noble purpose, has various dimensions.              | ويتجه الإسلام إلى العدالة الاجتماعية فجعل الناس متساوين أمام القضاء، ولذلك قال تعالى: وَقَدْ قُلْتُ لَنْ نَفْسُهُمَا مِنَ الْمُفَصَّلِينَ (المائدة: 13) |
| Among the goals of fairness are in the field of law, provisions and testimonies, And fairness in social transactions to others (muamalah), obligatory to recognize that actually humans have rights over their property. | والعدل في المعاملة مع غيره بأن يفرض أن للناس من الحقوق مثل ماله، ولقد قال ذلك للنبي صلى الله عليه وسلم: وأحكم ببيان. |
| Then Islam directs into the aspects of social justice, makes people are equal before the law. | وتجه الإسلام إلى العدالة الاجتماعية فجعل الناس متساوين أمام القضاء، وقيل بين بريّ عن عدليم، وفيه طبقات تتميز فيها طبقة عن طبقة. |
| The judiciary does not distinguish between rich or poor, as there are no classes in which it is distinguished from class by class. | بل القوي ضعيف حتى يأخذ حقه، والضعيف قوي حتى يأخذ حقه. |
| Rather, the strong is weak until the creation is taken from him, and the weak is strong until he takes his right. | والناس جميعاً من طبقة واحدة لا فرق بين لون ولون، وجنس وجنس. |
| All humans come from one point (land) of the same creation there is no difference in color from one another, from type to type, allare the same before Islamic law. | ولذلك يقول النبي صلى الله عليه وسلم: كلكم لآدم، وآدم من تراب. |
| All of you belong to Adam, and Adam is from dust. There is no preference for an Arab over a foreigner except with piety. | ويقول الله تعالى: يا آدم إني خلقتكما مِن ذَرَّةٍ مَّنْ خَلْقِي (الحشر: 13) |
| And Allah says: “O mankind, indeed We have created you from male and female and made you peoples and tribes that you may know one another”. | وإن الله في سبيل العدالة الاجتماعية على أعلم وجه من وجه التحقيق. |
| In fact, on the path of social justice, for the perfection of all aspects to be implemented. | أوجب الإسلام تكريم الإنسانية لذات الإنسانية فهي عن المثلة ولو في الحرب. |
| Islam requires human beings to respect, because of the aspect of humanity itself. | وحرص الله سبحانه وتعالى بالكرامة الإنسانية |
| Even in conditions of war, we still have to honor humans (for example, not allowed mutilating unbelievers because they are human). | فقال سبحانه: ولأفد الأ받َّةَ بَنَيَّتُكُمَا إِذَا كَعَبَةَ إِذَا وَفَقَ ثَلَاثَاءٌ (المائدة: 70) |
| And Allah Almighty declares human dignity. | مِنَ الطَّيِّبَاتِ وَفَضْلِهَا عَلَى كِتَابٍ مَّنْ خَلَقَنَّاهُمَا (الإسراء: 70) |
| So Allah says: “And We have certainly honored the children of Adam and carried them on the land and sea and provided for them of the good things and preferred them over much of what We have created, with [definite] preference.” | }
From Table 3, we can know that educating individuals aims to realize a human being who is good in character, which is far from jealous, arrogant and other bad qualities. As stated by Diaw (2015) and Nurhadi (2019), the main purpose of education in Islam is to achieve a perfect character or moral. The term ta’dib in Abu Zahrah thought is followed by Al-Attas (1980) which covers not only physical and material things but also moral and spiritual aspects to produce a good man cited by Sanusi (2017). Ali & Hasan (2020) confirm that the main purpose of education is to help humans in understanding and realizing the purpose of their life, namely to serve Allah Al-Mighty as mentioned in the Qur’an surah 51, verse 56.

Zahrah (1997) argues that Allah emphasizes that worships such as prayer, zakat, fasting, hajj are to educate the human soul to be clean from bad, wrongdoing and vile traits. Prayer, for example, as Allah explains in surah al-Ankabut verse 45, that prayer can prevent heinous and evil actions. In social life, zakat means assisting each other from the rich to the needy as the Prophet Muhammad PBUH said in the above hadiths narrated by Bukhari no 1395 and Muslim no 19. He explains through educating individuals, a human being becomes gentler towards others, and does not commit injustice and cruelty.

The second aspect of maqasid sharia is establishing fairness (إقامة العدل) as commanded by Allah in the Qur’an surah al-Hujarat verse 8. He prohibits to do unfairly to people we hate and commands us to be fair. Fairness includes various fields, such as law, provisions and testimonies. Fairness should also be applied in social transactions (mualalah) by recognizing the right of property or wealth ownership. Zainuldin et al. (2018) explain that Islam teaches us to establish and support justice in all areas of life, including economic transactions. In the surah al-A’raf verse 29, Allah uses the term bil-al-qist to commands to justice (قَلْ أَمِرْتُ بِالْقِسْطِ), which refers primarily to its application concretely within the socio-economic domain. The prophet Muhammad PBUH guides us as an individual how to behave fairly in social interaction, with treating people well according to our ability. Fairness as mentioned in his book, also emphasizes equality before the law. There is no difference between rich and poor, among races and ethnicity. Allah highlights in the Qur’an surah al-Hujarat verse 13 that He has created people with different tribes and nations to know one another.

Furthermore, fairness in Islam represents the perfection of the implementation of Islamic law. Table 4 shows that Islam upholds justice between people regardless of ethnicity, race, religion and class. Even in conditions of war, it is forbidden to commit heinous acts such as mutilating enemies, even though they are from unbelievers. What about the conditions of peace, it is certain that we must honor each other. In the conditions of war, it is not allowed mutilating unbelievers because they are human. In the Qur’an, surah al-Isra, verse 70, Allah mentions of His reverence and the glory He gave them to human beings. He had created them in the best and most perfect form of all creatures (Ullah & Kiani, 2017; Wani, 2018).

In Islamic law, fairness is known as Al’Adl. What is meant by al-‘adl is if a person fulfills what he or she should fulfill as he or she demands what becomes. In the context of debt contract for instance, the person who owes the debt may collect and receive payment of assets if the person in debt does have the ability to pay the debt when the payment is due. However, when they are not able to pay, Allah commands that the person in debt to be given a grace period so that the payment can be postponed until he or she has the ability to pay. This is the meaning of al-‘adl. Allah says in the Qur’an surah al-Baqoroh, verse 280:

وَإِنَّ الَّذِينَ كَانُوا فِي ظُلِّ الْغَدِيرِ ۖ إِلَيْهِ نُرِىٰ

“And if (the person who owes it) is in trouble, then give tough until he gets relaxed” However, if the person making a loan is willing to give alms and thinks that the debt is paid off, then that is the most important.”

Meanwhile, an even more noble act is called al’ifadl, namely carrying out things that have more virtue. As Allah says in the same verse:

وَأَوْلَىٰ مَعَنِّيٰ خَيْرُ نَكُمْ

“And giving (part or all of the debt) is better for you.”
In addition to deferred financing payments, fairness can also be applied in the context of pricing for financing that does not burden both customers and banks. Ishak (2019) explains when interpreting the hadith of the Prophet PBUH regarding price fixation, it is possible if the price increases, because of limited resources. In fact, it would be unfair if sellers were forced to lower their prices under these conditions. Here the market mechanism operates. In addition, Islamic banks may use Islamic pricing benchmarks developed from real data from the Islamic banking industry such as the average of internal rate of return and cost of capital as proposed by Ahmad et al. (2018).

Another important aspect of fairness is a balance between rights and obligations. Table 5 shows that rights will arise after obligations are fulfilled. Allah gives human beings an equal opportunity to work. What a person receives will be in accordance with what he/she does. As a result, there will be no injustice. This spirit of work has been taught and practiced from generation to generation since the early generations of Islam, in order to serve others and society. The implementation of the balance between rights and obligations.

| In order to achieve this social justice, Allah has enabled every person to keep spirit on work. Then we have explained in the words of far du-fardu kifayah, about how Islam requires education of the entire nation in the early stages. And whoever is in the early generations, they are at odds with each other, (the first generation and the second generation differ in their desires and directions), so will their obligations to carry out far du kifayah also differ. So whoever has the same knowledge as the first and second generations, then they have the same obligation, namely to teach far du kifayah as well. Likewise, the third generation, so to explain to humans their obligations, there will be a desire for each generation to provide benefits (each marhalah provides benefits to other marhalah). So that a person does not feel disadvantaged by his fate (his rights are not wronged), then the results of his work are equal to what is done. Sowhsoeverisgoodfromthenevelthatishedonefrom his efforts carried out will be for him a reward. Indeed, Allah has determined that justice is from a perfect aspect when it makes those rights equal along with the obligations imposed. For example, a woman has an obligation according to the degree to which her rights have. As Allah says: Women have rights similar to those of men equitably, although men have a degree of responsibility above them. And so it is in Islam, everyone who has rights delegated to him has an obligation. And the relationship between rights and obligations becomes a predetermined case. | وفي سبيل تحقيق تلك العدالة الاجتماعية، مكن سبحانه وتعالى كل إنسان يستطيع نظرة للذريء من قرض العمل ليعمل وقد بينا عند الكلام في الظروف الكفائية، كيف أوجب الإسلام تعليم الأمة كلها في أول امراحلها. ومن وفق عند الأول والثاني تخلفت به معاشه عن النسر إلى الثانية، فقد تخلف في مرتبتة يتقاضيها فرض كفائي. ومن تسامت به معاشه إلى الثانية سارة فيها فإن توفقت، وقد عند فرض كيفا في أبنا ها. وهذا المرحلة الثالثة، وذلك ذلك تمكن لكل شخص من فرصة تظفر فيها موا هبه ليتفع ويتفع، ووقدا. وإن كتب يمنح أحد حظه ويظلم جعل سحبانه نتائج الأعمال متكافئة مع الأعمال. فمن يعمل خيراً يصعد، وقيداد مجهود الشخص وإنتاجه يكون جزاؤه. وف قد حقق سبحانه وتعالى العدالة على أكل وجه عند جعل الحقوق متكافئة مع الواجبات. فلما أشرى عليها من الواجبات مقدار مالها من حقوق كما قال تعالى: وأهِئَ مَثَلَ الْجَعْلِ لِلَّذِينَ ءَاخِذُونَ الْحُكْمَةَ (البقرة: 228). ووقدا كان في الإسلام كل حتي نظرة واجب فكان التلازم بين الحق ووا جه أبنا ها. |

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**Table 5. Establishing Fairness Aspects Part 2: Balance Between Rights and Obligations**

| Translation | Arabic Text |
|-------------|-------------|
| In order to achieve this social justice, Allah has enabled every person to keep spirit on work. Then we have explained in the words of far du-fardu kifayah, about how Islam requires education of the entire nation in the early stages. And whoever is in the early generations, they are at odds with each other, (the first generation and the second generation differ in their desires and directions), so will their obligations to carry out far du kifayah also differ. So whoever has the same knowledge as the first and second generations, then they have the same obligation, namely to teach far du kifayah as well. Likewise, the third generation, so to explain to humans their obligations, there will be a desire for each generation to provide benefits (each marhalah provides benefits to other marhalah). So that a person does not feel disadvantaged by his fate (his rights are not wronged), then the results of his work are equal to what is done. Sowhsoeverisgoodfromthenevelthatishedonefrom his efforts carried out will be for him a reward. Indeed, Allah has determined that justice is from a perfect aspect when it makes those rights equal along with the obligations imposed. For example, a woman has an obligation according to the degree to which her rights have. As Allah says: Women have rights similar to those of men equitably, although men have a degree of responsibility above them. And so it is in Islam, everyone who has rights delegated to him has an obligation. And the relationship between rights and obligations becomes a predetermined case. | وفي سبيل تحقيق تلك العدالة الاجتماعية، مكن سبحانه وتعالى كل إنسان يستطيع نظرة للذريء من قرض العمل ليعمل وقد بينا عند الكلام في الظروف الكفائية، كيف أوجب الإسلام تعليم الأمة كلها في أول امراحلها. ومن وفق عند الأول والثاني تخلفت به معاشه عن النسر إلى الثانية، فقد تخلف في مرتبتة يتقاضيها فرض كفائي. ومن تسامت به معاشه إلى الثانية سارة فيها فإن توفقت، وقد عند فرض كيفا في أبنا ها. وهذا المرحلة الثالثة، وذلك ذلك تمكن لكل شخص من فرصة تظفر فيها موا هبه ليتفع ويتفع، ووقدا. وإن كتب يمنح أحد حظه ويظلم جعل سحبانه نتائج الأعمال متكافئة مع الأعمال. فمن يعمل خيراً يصعد، وقيداد مجهود الشخص وإنتاجه يكون جزاؤه. وف قد حقق سبحانه وتعالى العدالة على أكل وجه عند جعل الحقوق متكافئة مع الواجبات. فلما أشرى عليها من الواجبات مقدار مالها من حقوق كما قال تعالى: وأهِئَ مَثَلَ الْجَعْلِ لِلَّذِينَ ءَاخِذُونَ الْحُكْمَةَ (البقرة: 228). ووقدا كان في الإسلام كل حتي نظرة واجب فكان التلزم بين الحق ووا جه أبنا ها. |
Therefore, the law of Allah has made legal provisions, sanctions for servants are half of the sanctions for free people in the implementation of hudud, where the servants are half free. Because the rights of the slave are less than the rights of the free

Therefore, the Almighty said about the female slave-girls: If they are protected, and if they commit immorality, then they will have half of the punishment for the women who are immune. And in fact, there is no way out of a case to carry out justice except with honour and love (the spread of glory and love for all people).

And it is considered that the interest of each individual is considered to be the interest of a group of people, and actually all verses in the Qur’an associated to Islamic law mean as Allah says: “Indeed, Allah orders justice and good conduct and giving to relatives and forbids immorality and bad conduct and oppression. He admonishes you that perhaps you will be reminded”. And it is considered that perhaps you will be reminded”.

The contribution of Islamic banks in payment and distribution of zakat, infaq, sadaqah and waqf (ZISWAF) is another example of the implementation of promoting social justice. Furthermore, their participation in social programs represents their concern into public welfare. Muchlis & Sukir (2016) and Nor (2016) even proposes the concept of Islamic social banks which do not only focus on poverty alleviation and community development but also practising an environmentally friendly economy.

The third aspect of maqasid sharia is known as maslahah (المصلحة), which means promoting public welfare, as shown in Table 7. Maslahah becomes the goal of all Islamic laws, as mentioned in the Qur’an surah Al-Anbiya verse 107 that Islam is for the mercy of all nature. Maslahah is generally accepted, applies to all levels of society regardless of location and certain people. In Islamic banks, the implementation of maslahah is intended for the sustainability of the business in the long term. With increased transparency between Islamic banks and their customers, fairness can be realized (Cebeci, 2012; Ishak, 2019). In product development,
profit-loss sharing based products such as musyarakah and mudaraba should be the main product of Islamic banks. They are better instruments for providing wider opportunities for partnerships in business which promote social maslahah (Cebeci, 2012).

The main challenge in applying the concept of maslahah is the temptation of lust which may lead to the satisfaction of individual needs more than public interests (see Table 7). The failure to pay debts and instalments due to the poor character of the customer so that it disrupts the liquidity of Islamic banks is an example of lust that defeats maslahah. Likewise, cooperation between customers and internal employees of Islamic banks in the form of data fraud and dishonesty which causes the approval of inappropriate financing is also a form of pursuing individual interests and forgetting the benefits (Sofyan et al., 2019).

Abu Zahrah then explains the details of maslahah which is similar to the concept of Al-Ghazali (Sutrisno & Widarjono, 2018) that the implementation of Islamic laws and regulations is to safeguard five principles, namely the protection of religion, soul, intellect, lineage and wealth. By guarding these five things, human life will be prosperous and have a high degree. Al-Ghazali argues as quoted by Khatib (2018) and Sarif & Ahmad (2018) that every law that contains the purpose of maintaining these five things are called maslahah which classifies very urgent (al-dharurah). On the contrary, every action that causes damage to all five of them called mafsadah (mafsadah indicates anything that is harmful and destructive).

Table 7. Promoting Public Welfare Aspects

| Translation | Arabic Text |
|-------------|-------------|
| The third aspect: from the aspects of Islamic laws and this is an established goal in all Islamic laws. | الناحية الثالثة: من نواحي الأحكام الإسلامية، وتلك غاية محققة ثابتة في كل الأحكام الإسلامية. |
| And it is maslahah (public welfare), so there is no matter that Islam has legitimized in the Qur’an and the Sunnah unless there is a real maslahah in it. | وهي المصلحة، فيها من أمر شريعة الإسلام بالكتاب والسنة إلا كانت فيه مصلحة حقيقية. |
| And that maslahah disappeared for some of those who were deceived by passion. | وإن اختفت تلك المصلحة على بعض الذين غشاهم الهوى، |
| And maslahah that Islam wants is not a whim, but rather a real maslahah that pervades and does not pertain to and the location of this subject from the Islamic law we refer to in some detail. | والمصلحة التي يريدها الإسلام ليست الهوى، وإنما هي المصلحة الحقيقية التي تعم ولا تخص، وكان هذا الموضع من شريعة الإسلام نشر إليه بعض التفصيل. |

Abu Zahrah’s model of maqasid sharia among other scholars. Because of the importance of maqasid sharia, moslem scholars have paid close attention to its concept. They have provided insights into it, strengthening one another’s ideas, and complementing and deepening their discussions from different points of view. Al-Juwaini (1028-1087) developed the study of maqasid sharia by collaborating on the study of ‘illat in qiyyas. ‘Ilal is the law of origin which is used as the legal basis. Qiyas is the legality of a new matter that has never existed before, yet has in common with the causes, benefits, dangers and various aspects of the past. According to Al-Juwaini, the original basis of ‘illat was divided into three parts, namely dhariyyah, haajiyat and makramat or tahsiyyat. Al-Juwaini’s framework was developed by his student, Al-Ghazali (1058 -1111 AD). Al-Ghazali classified maslahah, as the core of maqasid al-sharia, into five aims, namely preserving religion, soul, intellect, lineage and wealth.

Imam Abu Ishaq Asy Syatibi (1388 AD), from the Maliki Madzhab, has a similar opinion to Al-Juwaini and Al-Ghazali, that every law is intended to create human happiness in the world and in the hereafter. According to Al Syatibi, there are two fundamental aspects to maqasid sharia, namely the set of laws based on the background of the existence of law (illat), and almaslahah wa al-mafasid (benefits and harms) (Toqiuddin, 2014). Using a broader category, Muhammad Thâhir ibn ‘As Syur (1879-1973 AD) classifies maqasid sharia into two parts: maqasid sharia al-‘ammah and maqasid sha-
ria al-khashah. Al-'ammah means wisdom; its secret and purpose is to implement the Qur'an in general, covering all aspects of it without specialising in one particular area. On the other hand, the Al-khashah is intended as a set of specific methods required by al-sy'ri to achieve human well-being (Sididiqui et al., 2019) by specialising in one area of existing Islamic law, such as economics or family law (Choudhury & Hoque, 2017).

A fiqh scholar who lived with Ibn 'As Syur, Muhammad Abu Zahrah (1898-1974), explains that maqasid sharia is categorised into three dimensions: tahdib al fard (educating individuals), iqomah al-'adl (establishing fairness) and jaib al maslahah (promoting public welfare). Abu Zahrah (1997) places the education dimension as its first foundation. With education, individuals who are trusted and uphold sharia values will be created. As a result, other dimensions maqasid sharia can be realised (Hasan et al., 2018). Placing education aspect as the basis of maqasid sharia is in accordance with the blueprint of the Indonesian Islamic banking which considers the quality of human resources to be the first pillar for the future development of Islamic banks (Nastiti & Kasri, 2019). Likewise, a limitation of quantity and quality of human resources remains a major challenge, as stated in Indonesia Islamic banking roadmap.

The concept of maqasid sharia of Abu Zahrah is more comprehensive than Al Ghazali or As-Syatibi, as shown in Figure 2. The five aspects of maqasid sharia, as explained by Al-Ghazali as seen in their influence on human life are included in the level of dharuriyat in Asy-Syatibi thought. Therefore, the concept of maqasid sharia of Abu Zahrah includes the concepts of Al-Syatibi and Al-Ghazali. Mohammad & Shahwan (2013) explain the effect between the ideas of Abu Zahrah, Al Shatibi, and Al-Ghazali. The definition and classification of maqasid sharia by Abu Zahrah complement the concepts of Al-Ghazali and Al Syatibi.

Besides being more comprehensive, Abu Zahrah’s model is more easily operationalised when used as a measure of performance in Islamic banking (Mergaliyev et al., 2019; Mohammad & Shahwan, 2013). As explained earlier, the three main objectives of the determination of Islamic law according to Abu Zahrah are to educate every human being to have a pure soul (tahdib al fard), establishing fairness in society and promote public welfare. Jazil & Syahruddin (2015)

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**Figure 2. Comparison of Maqasid Sharia Models**

Source: Mohammad & Shahwan (2013)
Table 8. Data-Technique-Theory in Systematic Literature Review

| Previous Studies          | Type of Data     | Technique of Analysis                  | Theories Used                       | Research Subjects                                                                 |
|---------------------------|------------------|----------------------------------------|-------------------------------------|----------------------------------------------------------------------------------|
| Antonio et al. (2012)     | Annual report    | Quantitative and descriptive (ratio calculation) | Maqasid sharia                      | Indonesian and Jordan Islamic banks                                                |
| Cakhyaneu (2018)          | Annual report    | Quantitative and descriptive (ratio calculation) | -                                   | Indonesian Islamic banks                                                          |
| Hartono & Sobari (2017)   | Annual report    | Quantitative and descriptive (ratio calculation) | Maqasid sharia                      | Indonesian Islamic banks                                                          |
| Herlyanto & Octavendi (2019) | Annual report | Quantitative and descriptive (ratio calculation) | -                                   | Indonesian Islamic banks                                                          |
| Hidayat et al. (2019)     | Annual report    | Quantitative                           | -                                   | Indonesian Islamic banks                                                          |
| Hosen et al. (2019)       | Annual report    | Quantitative and descriptive (ratio calculation) | -                                   | Indonesian Islamic banks                                                          |
| Jazil & Syahrudin (2015)  | Annual report    | Quantitative and descriptive (ratio calculation) | Maqasid sharia                      | Indonesian and Malaysian Islamic banks                                            |
| Larasati & Soni (2018)    | Annual report    | Independent sample-test                | Maqasid sharia                      | Indonesian and Malaysian Islamic banks                                            |
| Mergaliyev et al. (2019)  | Annual report    | Quantitative and descriptive (ratio calculation) | Maqasid sharia                      | Indonesian Islamic banks                                                          |
| Mohammed & Taib (2015)    | Annual report    | Quantitative and descriptive (ratio calculation) | Maqasid sharia                      | 12 Islamic and 12 conventional banks                                              |
| Rusydianna & Al-Parisi (2016) | Annual report | Quantitative and descriptive (ratio calculation) | -                                   | Indonesian Islamic banks                                                          |
| Saoqi (2017)              | Annual report    | Quantitative and descriptive (ratio calculation) | -                                   | Indonesian Islamic banks                                                          |
| Setiyono and Ahmar (2019) | Annual report, management report, GCG implementation report | Quantitative and descriptive (ratio calculation) | Sharia Enterprise Theory (SET), resource based value theory, maqasid sharia      | Indonesian Islamic banks                                                          |
| Siddiqui et al. (2019)    | Literature review | -                                     | Maqasid sharia stakholder's Wellbeing, public's Wellbeing | Islamic banks recommendation                                                      |
| Wahyuni et al. (2020)     | Annual report    | Quantitative                           | Maqasid sharia, firm value          | Indonesian Islamic banks                                                          |
| Wijayanti et al. (2020)   | Annual report    | Quantitative and descriptive (ratio calculation) | Contingency theory                  | Indonesian Islamic banks                                                          |
also argue that the classification of *maqasid sharia* by Abu Zahrah is better and closer to evaluate Islamic bank’s performance.

**Abu Zahrah’s *maqasid sharia* model in previously empirical studies.** Abu Zahrah’s model is widely used in various empirical studies to measure the performance of Islamic banks. The model is relatively easy to operate. Table 8 shows a summary of data, techniques of analysis dan theories used by previous studies. We identify studies on Abu Zahrah’s model as a performance measurement tool for Islamic banking. The development is carried out in terms of data analysis, for example analysing the impact of *maqasid sharia* performance model on financial performance; or analysing the factors that affect the performance of *maqasid sharia*; or comparing performance using the model between Islamic and conventional banks.

Almost all previous studies use secondary data from the annual report in the form of financial ratios. One conceptual paper by Siddiqui et al. (2019) compiles and compare the concept of *maqasid sharia* among scholars (Abu Zahrah, Asy Syatibi, Al Ghazali). Some of them conduct a small interview with experts and practitioners to determine the weight of each maqasid sharia indicator. Majority of studies apply descriptive analysis, simply calculating the financial ratios based on annual reports. Some of them employ univariate analysis when comparing between Islamic banks, between Islamic and conventional banks and between Islamic banks across countries. Some studies utilize multivariate techniques when analysing the impact of maqasid sharia on certain dependent variables (such as financial performance) or analysing the determinants of *maqasid sharia* performance. In terms of the theory used, the majority studies place *maqasid sharia* as the theoretical basis; some researchers use Sharia Enterprise Theory (SET), Stakeholder’s Wellbeing theory and Public’s Wellbeing theory. Interestingly, majority studies use Indonesia and Malaysian Islamic banks as their research sample.

**Islamic bankers’ perceptions of *maqasid sharia* as an indicator of performance.** Respondents in this study are explored about their perceptions of the importance of each performance indicator. Table 9 presents the ten types of indicator and Islamic banks’ views of each of these indicators.

Table 9 indicates that SRB has more diverse views about which performance indicators are the most important, while IBU and IB share the same perceptions. However, for all types of Islamic banks, none contradicts the view that profits are the most important performance indicator. For 36.4% of IB, 65.2% of IBU and 29.8% of SRB, profit is of paramount importance. An interesting finding is that *sharia* compliance is the second most important indicator after profit for 36.4% of IB and 16.7% of SRB. This fits with common public opinion that Indonesian Islamic banking is quite strict and prudent in terms of *sharia* compliance, especially in relation to product development. Nastiti & Kasri (2019) and Suzuki et al. (2019) underline that Indonesian Islamic banks are lack of product development when compared to Malaysia because of the need to meet *sharia* compliance, although it is more indicative of

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**Table 9. Performance Indicators**

| Performance Indicator | Number of Respondents (%) |
|-----------------------|---------------------------|
|                       | IB  | IBU | SRB |
| Profit                | 36.4| 65.2| 29.8|
| Sharia compliance: product development & operational business process | 36.4| 8.7| 16.7|
| Contribution to economic growth | 9.1| 13.0| 9.5|
| Sustainable growth    | 9.1| -   | -   |
| ZISFAW (zakat, infak, sedekah, waqaf) fund collection | -  | -   | 4.8|
| Employee welfare      | -   | -   | 6.0|
| Market share          | -   | -   | 10.7|
| Number of depositors  | -   | -   | 4.8|
| Financing to the real sector | -  | 8.7| 10.7|
Table 10. HR Composition in Islamic Banks

| Composition of HR | Fully Fledged | Business Unit | Rural Bank |
|-------------------|---------------|---------------|------------|
| Most have conventional economics/banking/finance backgrounds | 45,1 | 69,6 | 54,1 |
| Most have Islamic economics/banking/finance backgrounds | 36,3 | 4,3 | 11,5 |
| Balance between conventional and Islamic economics/banking/finance backgrounds | 18,2 | 26,1 | 34,4 |

sharia compliance with classical contracts. In contrast to IB and SRB, which consider that sharia compliance is important, IBU (13%) emphasizes more the importance of the contribution to economic growth, with sharia compliance at only 8.7%.

The lower response on sharia compliance can be presumed due to the factor of Islamic banking human resources who do not fully understand about the sharia business. Mulato (2018) argues that in IBU, HR development policies still follow conventional parent banks and that the HR recruitment system is sometimes even not separated from their parent banks. Table 10 explains the composition of HR in Islamic banking. According to the structure of employees, Islamic banks are still dominated by employees with conventional economic or banking expertise (45,1%, 69,6%, and 54,1%). There are few with a sharia background in IBU. It is therefore reasonable that only 8,7% of IBU consider sharia compliance as the main performance indicator. The findings indicate the importance of training and education in fundamental Islamic economics to meet these competencies.

Performance of Islamic banks construction when portrayed using Abu Zahrah’ model. Figure 3 shows three dimensions which are evaluated. These dimensions are namely educating individuals, establishing fairness and promoting public welfare. For educational and public welfare performance, respondents were asked to rate their performance relative to their targets on six Likert scales. Scale 1 shows that realization is below target, while scale 6 shows that it is

![Figure 3. Indicators of Maqasid sharia Dimensions](image-url)
above target. In relation to establishing fairness, respondents were also asked to answer on a scale of 1 to 6 (1 indicates that the performance indicators are increasingly not fully implemented, while number 6 indicates that they are increasingly fully implemented).

**Education dimension.** The educational performance variables are measured by three variables, namely EDU1 to EDU3. The Confirmatory Factor Analysis (CFA) test results show that all variables presented in Table 11 meet the requirements of good validity, with standardized solution values of ≥ 0.5 and T-values of ≥ 1.96. Likewise, the three variables have good reliability values, with CR ≥ 0.7 and VE ≥ 0.5.

Table 12 shows that the mean value is quite low (under 3 out of a maximum 6) for EDU1 and EDU3. At the same time, the mean value for EDU2 is slightly higher. This may be because Islamic banks must comply with the Central Bank of Indonesia regulation, which require that a minimum of 5% of the HR expenditure budget (PBI Num. 14/2003) is dedicated to training. The regulation is important for improving the competence of Islamic banking employees, who are required to have more complex skills and competencies, not only in economics and banking but also in Islamic transactions (muamalah).

**Fairness dimension.** Fairness performance is measured by four variables, namely FAIR1 to FAIR4. Based on the CFA test in Table 13, of these four FAIR4 variables was excluded from the model because it had a standardised solution value below 0.5. The CFA results after trimming in Figure 5 show that the other three variables (FAIR1, FAIR2, FAIR3) have good validity, with standardised solution values of ≥ 0.5. They also have good reliability values, with CR of 0.75 and VE of 0.51.

The aspect of fairness is measured by three indicators, namely the size of the margin or nisbah of profit sharing that considers the ability of customers to pay, the number of bonuses, or the nisbah of profit sharing of savings and deposit products, and net operational and non-operational transactions from the ribawi/usury elements. Table 14 shows that all the variables have a mean value above 4, with FAIR3 even having a mean above 5, indicating that the fairness indicator tends to be fully applied by Islamic banks. The highest mean is shown in FAIR3 and the lowest is FAIR1. To ensure that Islamic bank funds are not mixed between ribawi and non-ribawi transactions, sharia financial accounting standards regulate the obligation to prepare reports on the sources and uses of benevolent funds. In the report, funds are grouped into halal sources (such as zakat funds, infaq, grants, and sadaqah) and non-halal funds (such as interest income from placement of funds in conventional banks or penalties due to customer delays) and their allocation.

| Variable | Validity | Error Variance | Reliability | Explanation |
|----------|----------|----------------|-------------|-------------|
|          | sd<sup>1</sup> | t-v<sup>2</sup> |              | CR<sup>3</sup> | VE<sup>4</sup> |              |
| EDU1     | 0.83     | 7.40           | 0.32        | 0.81        | 0.58        | Good Validity<sup>5</sup> |
| EDU2     | 0.70     | 8.49           | 0.51        |             |             | Good Reliability<sup>6</sup> |
| EDU3     | 0.76     | 8.86           | 0.42        |             |             |                         |

Notes:
1. Standardised solution; 2. T-values; 3. Construct reliability; 4. Variance extracted; 5. Good validity if standardised solution is ≥ 0.5 and t-values ≥ 1.96; 6. Good reliability if CR is ≥ 0.7 and VE ≥ 0.5; EDU1 = increase in the quality of community education; EDU2 = education and training for staffs; EDU3 = public education, especially about Islamic economics and banking.

**Table 12. Minimum, Maximum and Mean of Education Dimension**

| Variable | EDU1 | EDU2 | EDU3 |
|----------|------|------|------|
| Minimum  | 1.00 | 1.00 | 1.00 |
| Maximum  | 6.00 | 6.00 | 6.00 |
| Mean     | 2,5670 | 3,5670 | 2,9175 |
In terms of pricing for financing based on profit-sharing concepts, Islamic banks are very concerned about the ability to pay and condition of customers. Among other aspects, the proportion of business profit for each party is determined based on the agreement between the Islamic bank and the customer (referred to as *nisbah*), is influenced by the average operating profit, the amount of financing, bank risk, the type of business, payment terms and customer’s repayment capacity. The *nisbah* can change (up or down) along with the ongoing partnership between Islamic banks and customers.

### Promoting public welfare dimension.

The *maslahah* variable is measured by five variables (PPW1-PPW5). Table 15 shows that from these, two were excluded from the model because they had a standardised solution value of <0,5, namely the PPW4 variable PPW5.

The three other variables (PPW, PPW2,PPW3) shown in Table 15 fulfil the good validity and reliability requirements, with standardised solution values of ≥ 0,5, T-values of ≥ 1,96, CR values of ≥ 0,79 and VE of ≥ 0,56. The *maslahah* dimension is measured by three observable variables, as shown in Table 16. As with the educational dimension, the mean variable dimensions of *maslahah* do not reach 4 (out of 6), meaning that the achievements are only on target (realisation between 90-100%). Even for PPW3, its mean value of 2,38 means it is below target, with a realisation of between 80 and 90%. The highest mean value is seen in PPW2 variable, which is in line with the emphasis of Islamic bank business on the productive retail sector.

For the three types of bank, the majority of ZISWAF funds come from institutional *zakat* (based on profit/net realizable value of assets). This finding is a very encouraging development, as regulations do not provide enough support regarding the existence of *zakat* for Islamic banks, although they still set aside part of their funds as *zakat*. The second-largest *zakat* fund comes from that of customers, followed by that of employees. The percentage of *zakat* from employees in SRB is quite high, in IBU it is relatively small, but in IB there is no component of *zakat* from staffs.

In general, this research findings indicate that the achievement of *maqasid sharia* has shown good performance even though it is not maximal. The majority of *maqasid sharia* performance indicators having an average

| Variable | Validity before Trimming | Validity after Trimming | Error Variance | Reliability after Trimming | Explanation |
|----------|--------------------------|-------------------------|----------------|-----------------------------|-------------|
|          | sd¹ | t-v² | sd   | t-v   | CR³ | VE⁴ |
| FAIR¹    | 0,79 | 6,38  | 0,86 | 8,84 | 0,26 | 0,75 | 0,51 | Good |
| FAIR²    | 0,56 | 4,83  | 0,65 | 10,63 | 0,58 |
| FAIR³    | 0,57 | 4,88  | 0,60 | 10,67 | 0,64 |
| FAIR⁴    | 0,36 | 3,10  | Excluded |

Notes:
1. Standardised solution; 2. T-values; 3. Construct reliability; 4. Variance extracted; 5. Good validity if standardised solution is ≥ 0,5 and t-values ≥ 1,96; 6. Good reliability if cr is ≥ 0,7 and ve ≥ 0,5; FAIR¹ = pricing of financing which considers the situation of clients; FAIR² = fair return on savings or deposits; FAIR³ = free from usury transactions; FAIR⁴ = a principle of ukhuwah in financing.

In terms of pricing for financing based on profit-sharing concepts, Islamic banks are very concerned about the ability to pay and condition of customers. Among other aspects, the proportion of business profit for each party is determined based on the agreement between the Islamic bank and the customer (referred to as *nisbah*), is influenced by the average operating profit, the amount of financing, bank risk, the type of business, payment terms and customer’s repayment capacity. The *nisbah* can change (up or down) along with the ongoing partnership between Islamic banks and customers.

### Promoting public welfare dimension.

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The three other variables (PPW, PPW2,PPW3) shown in Table 15 fulfil the good validity and reliability requirements, with standardised solution values of ≥ 0,5, T-values of ≥ 1,96, CR values of ≥ 0,79 and VE of ≥ 0,56. The *maslahah* dimension is measured by three observable variables, as shown in Table 16. As with the educational dimension, the mean variable dimensions of *maslahah* do not reach 4 (out of 6), meaning that the achievements are only on target (realisation between 90-100%). Even for PPW3, its mean value of 2,38 means it is below target, with a realisation of between 80 and 90%. The highest mean value is seen in PPW2 variable, which is in line with the emphasis of Islamic bank business on the productive retail sector.

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In general, this research findings indicate that the achievement of *maqasid sharia* has shown good performance even though it is not maximal. The majority of *maqasid sharia* performance indicators having an average

| Variable | FAIR1 | FAIR2 | FAIR3 |
|----------|-------|-------|-------|
| Minimum  | 1,00  | 1,00  | 1,00  |
| Maximum  | 6,00  | 6,00  | 6,00  |
| Mean     | 4,2268| 4,7629| 5,1959|
value above 3 (on a scale of 6), meaning that the performance realisation is in line with, or exceeds, the targets set by the management of each bank. To further optimise the performance of *maqasid sharia*, various external support mechanisms from both regulators and the public are needed. Suzuki et al. (2019) states that we need a top-down approach, namely: the government commitment to increase the adequacy of Islamic banks capital; for example, by converting conventional state-owned banks into Islamic banks or placing hajj funds into Islamic banks. The government’s plan to merge state-owned Islamic banks into one Islamic bank could be an alternative solution to strengthen their competitiveness, enhancing the role of the banks in realising benefits for the community. Abdullah et al. (2013) also recommend the need for intensive socialisation to the public about the identity and attributes of Islamic banking in order to accelerate growth.

Table 15. Validity and Reliability of Public Welfare Dimension

| Variable | Validity before Trimming | Validity after Trimming | Error Variance | Reliability after Trimming | Explanation |
|----------|--------------------------|-------------------------|----------------|-----------------------------|-------------|
|          | sd1                      | t-v2                    | sd1            | t-v1                        |             |
| PPW1     | 0,83                     | 7,38                    | 0,69           | 13,04                       | 0,52        |
| PPW2     | 0,61                     | 5,55                    | 0,81           | 32,78                       | 0,36        |
| PPW3     | 0,59                     | 5,37                    | 0,74           | 21,33                       | 0,45        |
| PPW4     | 0,35                     | 3,09                    | Excluded       |                             |             |
| PPW5     | 0,28                     | 2,45                    | Excluded       |                             |             |

Notes:
1. Standardised solution; 2. T-values; 3. Construct reliability; 4. Variance extracted; 5. Good validity if standardised solution is ≥ 0,5 and t-values ≥ 1,96; 6. Good reliability if cr is ≥ 0,7 and ve ≥ 0,5. PPW1 = ZISWAF fund; PPW2 = financing in the business sector; PPW3 = *qordul hasan*; PPW4 = net operating margin; PPW5 = return on assets

The effect between the dimensions of *maqasid sharia* in the Abu Zahrah model. Zahra (1997) does not explain that the three aspects of maqasid sharia as sequential. However, logically it makes sense if education is the first dimension that will affect the dimensions of justice and public welfare. When having well-educated, human beings will have a good character so that they will have the awareness to behave fairly. In addition, when society and Islamic bank employees have a good understanding of halal products and business transactions, they will offer and buy products that are clearly halal. Likewise, when they understand the dangers and sins of injustice and fraud, they will carry out financial transactions in the right way and do not violate ethical rules. In the end, when humans have good character because of the education process, they will uphold fairness and promote benefits and goodness to society.

Figure 4 and 5 exhibit the effect of the education dimension on fairness and *maslahah* (promoting public welfare) using data resulted from form the survey. An Interesting finding is that educating individuals positively and significantly affect promoting public welfare with an R² value of 26,7% and coefficient 0,514 with p value <0,05 (see Figure 5). However, education has no effect on fairness because the p-value >0,05 (see Figure 4). One possible reason is the contribution and

Table 16. Minimum, Maximum and Mean of Public Welfare Dimension

| Variable | PPW1  | PPW2  | PPW3  |
|----------|-------|-------|-------|
| Minimum  | 1,00  | 1,00  | 1,00  |
| Maximum  | 6,00  | 6,00  | 6,00  |
| Mean     | 3,3711| 3,9897| 2,3814|
efforts of Islamic banks in this educational process are not yet optimal as found by several previous studies.

In Malaysia, Ali & Hassan (2020) conclude that education about Islamic banking is still very low. A similar pattern occurred in Indonesia as stated by Fauzi & Suryani (2019), that Indonesian society is lack of awareness of Islamic banks. They have limited knowledge about the terms, products, and also Islamic principles of Islamic banks. Adrutdin et al. (2020), Ahmed et al. (2018), and Sakti & Mohamad (2018) also find that customer knowledge about Islamic banking services is still limited which influence the customers’ perception about Islamic banking products. Another reason may be analyzed from the dual banking system. People have been familiar with the conventional banking system for decades before the existence of Islamic banks. It is not easy to introduce a new system. It will take a long time because in our subconscious mind, we will always compare the existence of Islamic and conventional banks.

All efforts to socialize and educate the concept of Islamic banking are the responsibility of all parties. Santoso & Astuti (2019) recommend an optimum model of socialization of Islamic banks to the public involving business institutions, universities and Islamic scholars. Similarly, Kamla & Rammal (2014) suggests conducting education which involves industries using a problem-solving based curriculum. The education system should encourage critical thinking analysing real industrial cases. Karnawijaya (2019) also highlights that the success of socialization also depends on the role and support of the government (for instance managing hajj funds entirely into Islamic banks or paying for employee expenses in partnership with Islamic banks). Islamic banks should also actively collaborate with their partners in order to reach a wider community. An excellent example from BRIS (PT Bank Rakyat Indonesia syariah/ Indonesian Shariah Society Bank Ltd) which implements “Laku Pandai”, it provides banking services through cooperation with other parties (bank agents). At the time, Islamic banks may support the agents by providing modern facilities to increase and expand financial accesses (Bakhtiar et al., 2018).

Figure 4. The Effect of Education on Fairness

Figure 6 presents the effect of fairness to maslahah, showing a positively and significantly affect with an R² value of 12.6% and coefficient 0.375 (p-value <0.05). Fairness is closely related to promoting public welfare. The more justice is enforced in Islamic banks, the greater the contribution of Islamic banks in promoting public welfare. Promoting public welfare may be represented from the involvement of Islamic banks in payment of zakat, provision of benevolent loan, socioeconomic development and corporate social responsibility (Choudhury, 2015; Setianingrum et al., 2020). Theory of fairness and social welfare (Nurasyiah, 2018) explains that equality of resources is important as social justice is a matter of allocating resources. In price setting, when Islamic banks apply “just price” for their financing to make sure that prices remain fair by reinforcing ethical lapses, it will bring benefits to customers. Similarly, when Islamic banks promote “reasonable profit”, they may increase their reserve for zakat and other social donations. With “just wages”, will minimize gaps between employees and surely increasing their prosperity. Dewindaru et al. (2019) confirm that Islamic banks should hold the concept of a reasonable profit, just price, just wage and the welfare of society as main objectives.

Figure 5. The Effect of Education on Promoting Public Welfare
A consistent result is shown in multiple regression analysis in which fairness and education simultaneously are examined its effect on promoting public welfare. Figure 7 exhibits a significant effect of education and fairness on maslahah with a positive direction with an $R^2$ value of 33.4% and coefficients 0.279 and 0.463 ($p$ value <0.05). The implication of these findings are as follows: in general, Islamic banks should continue educating all stakeholders about Islamic economics, business and finance; socializing Islamic banks products and services in particular. Islamic banks also consistently implement fairness in all activities both financing and funding.

**CONCLUSION**

This study finds that sharia compliance is not the main indicator of performance. Profit and other financial performance measures such as market share, number of depositors are more important than sharia compliance for the majority of Islamic banks. Overall, maqasid sharia performance of Islamic banks is at a modest category. The results show that educating individuals and establishing fairness have a significant effect on promoting public welfare in a positive direction.

This study provides three recommendations to encourage the implementation of maqasid sharia. First, educating individuals is the main key to establish the pillars of fairness and public welfare. People are exposed to Islamic economics and finance in general. So, the employees of Islamic banks need to understand product knowledge, Islamic contracts and the philosophy of Islamic economics that will increase motivation and productivity, while maintaining good ethics. Islamic banks should allocate significant resources for this education. Second, it may lead to the perception of the lack of importance of sharia compliance as an indicator of performance. The implication for regulators is the need for a minimum qualification standard for Islamic banking HR who is mastering in sharia and muamalah. Third, we also need social control from the community. It is necessary to consider the disclosure of sharia compliance obligations in more detail to the wider community for every aspect of operational and product development of Islamic banks. Disclosure about sharia compliance will increase social control. The disclosure will also increase public confidence that Islamic banks are substantially different from conventional banks.

This study is inseparable from its limitations. It only studies the perception of Islamic banks of maqasid sharia, assessing the extent of its application. Future research could explore the reasons that may arise related to low awareness of sharia compliance. Second, this research is limited to analyze the direct translation of Arabic text to understand the coverage of the discussion of maqasid sharia. Some of the explanations use classic examples that are difficult to find equivalents in
current conditions and their application in Islamic banks. Future research can be complemented by comparisons of Arabic texts with other scholars in interpreting the meaning of the texts comprehensively.

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