

Interpretation Study: Understanding Muamalah in Hospital Financial Transactions

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Abstract: This study aims to examine muamalah interpretation in hospital finance by highlighting the gap in previous studies, which generally only focus on maqashid syariah or specific contracts such as zakat and waqf. The novelty of this study lies in its comprehensive approach to muamalah interpretation in the context of hospital finance. Previous studies show that the implementation of Sharia-based hospitals is still partial, although on the other hand it has been proven to increase public trust positively. The research method used is qualitative with an in-depth literature study approach. The analysis was carried out using maud'i (thematic) interpretation of primary and secondary data. Primary data was sourced from verses of the Qur'an, namely QS. Al-Maidah: 1, Al-Isra: 34, Al-Baqarah: 275 and 280, and An-Nisa: 29. Secondary data consisted of literature reviews from tafsir books and scientific journals relevant to the implementation of muamalah in hospital finance. The results of the study show that muamalah in these verses emphasises four key words, namely al-'uqud, riba, maisarah, and tijarah. Muamalah is interpreted as a binding contract, unlike riba, which has a grace period and is a commercial transaction. Its implementation in hospital finance involves six contracts, namely ijarah, bai', mudharabah, musyarakah, wakalah bil ujrah, and tabarru'. However, there is still debate regarding differences in drug prices in various places, which opens up opportunities for further study in the future.

Keywords: Interpretation of Muamalah; Sharia Hospital Finance; Sharia Contracts

Introduction

An increasing number of Muslims are beginning to take an interest in halal-based muamalah activities. The term 'sharia hospital' is also a new concept in the implementation of halal expansion in Indonesia. Sharia hospitals were first introduced at the International Islamic Health Conference and Expo (IHEX) organised by MUKISI. By 2025, there will be significant developments in the registration of hospitals to become sharia hospitals. According to (Ngatindriatun et al., 2024), the existence of a sharia label is one of the reasons why most people trust sharia hospitals, but apart from the label, administrative habits are also a contributing factor. This is the objective of this discussion, which analyses the characteristics of Islamic economics in Islamic hospital finance. Previous research has compared Islamic hospitals and non-Islamic hospitals and concluded that Islamic hospitals are better than those without the Islamic label.

Furthermore, there is also a significant gap in exploring Islamic finance contracts, which are more focused on waqf, zakat, takaful, mudharabah and musyarakah transactions and are not explored in health finance, more precisely in cost effectiveness, resource allocation, and fair distribution access (Apriantoro & Saifullah, 2025). This is what makes it interesting to study hospital finance, where previous findings have mostly conducted research in the scope of maqashid sharia or in the context of regulatory studies. Therefore, this study brings something new by analysing the interpretation of muamalah in hospital financial transactions.

Theoretical Review

According to the Islamic hospital MUKISI, a Sharia hospital is a hospital that has a certificate and practises Sharia principles in its financial and other transactions. Sharia hospitals not only use Sharia principles but also promote the development of Islamic da'wah (Mahmudah & Hafni, 2022). The development of hospitals in their muamalah tends to have a significant impact on patient trust and comfort in hospitals. This not only helps patients but also leads to integration in the management sphere. However, this is limited by the sample size and geographical scope of the research (Khayrun Nisa & Irfanun Nisa' Tsalits Hartanty, 2024). The method of application in

Bogor City Hospital for the implementation of Islamic finance is still partial and not yet comprehensive, which is an alternative and easier to implement (Rowi & Pakkanna, 2023).

Methods

The research method used in the study of muamalah interpretation in hospital contracts is qualitative. The discussion and results discussed use an in-depth literature review on muamalah interpretation and its implications in hospital financial contracts. Then, data collection discussed uses a maudu'I (thematic) interpretation approach using primary and secondary data. Primary data from this study uses verses from the Qur'an in Surah Al-Maidah: 1, Al-Isra: 34, Al-Baqarah: 275, Al-Baqarah 280, and An-Nisa verse 29. The secondary data studied was in the form of literature reviews from tafsir books that could be studied and supplemented with other journals on the implementation of muamalah activities in hospital finance. The research was based on hadith related to muamalah. There was also a study on the implementation of hospital finance in the research for the sake of novelty in this study.

Results and Discussion

The study of muamalah in the study of the Qur'an and hadith deepens our understanding of the interpretations of scholars in understanding the surahs and verses in the Qur'an and then interpreting them in the context of muamalah. The surahs of the Qur'an studied in relation to muamalah are:

Fulfilling Promises in Muamalah

The following is a verse from Surah Al-Maidah Verse 1:

أَئُمَّهَا الَّذِينَ أَمْتُوا أَوْفُوا بِالْعُهُودِ أَحِلَّتْ لَكُمْ بَهِيمَةُ الْأَنْعَامِ إِلَّا مَا يُتْلَى عَلَيْكُمْ عِزْرُ مُحَلِّي الصَّيْدِ وَأَنَّمَّ حُرْمَةً لَّمَّا اللَّهُ يَحْكُمُ مَا يُرِيدُ ①

Meaning: O you who believe, fulfil your covenants! Lawful to you are the animals of the herd, except what will be recited to you (as unlawful), and hunting while you are in a state of ihram (hajj or umrah) is not lawful. Verily, Allah decrees what He wills.

Interpretation of Al-Maidah Verse 1

1. Asbabun Nuzul

According to Ibn Khaldun's interpretation, before Surat Al-Maidah was revealed, the Prophet Muhammad SAW and his companions were performing wuquf in Arafah. When the verse of Surah Al-Maidah was revealed, the camel ridden by the Prophet was unable to bear the revelation, to the point that it was almost broken. The Prophet received the revelation and eventually dismounted from his camel to receive it. This was then confirmed by Imam Hakim in his hadith, which states that Surah Al-Maidah is a guideline for muamalah because Siti Aisyah herself said that what is halal and haram in every activity must be carried out.

2. General Meaning

What needs to be underlined in this verse is أَوْفُوا بِالْعُهُودِ In Ibn Kathir's tafsir, there are six promises that must be kept, including promises to Allah, covenants, disputes, buying and selling, marriage, and oaths (Kathir, 2023). In another interpretation, it is mentioned that Allah SWT established a covenant with the children of Adam, for example, in relation to the children of Israel, where Allah gave retribution to the children of Israel because they broke their promise (Quthb, 2002). Dasuki et al. (1991) interpret that agreements that need to be fulfilled require promises that are made, both loyalty to Allah and to humans, such as marriage and trade promises, among others. In addition, there is also a covenant between Allah and humans regarding themselves, which makes a person have good character (Hamka, 1992). This verse directly emphasises the need to keep promises that have been made, whether between humans or between humans and Allah SWT, because promises are binding on those who make them.

3. Meaning of Mufradat

The word **عَهْدٌ** in the Qur'an has a meaning equivalent to al-'uhūd, which is an agreement between humans and Allah or between fellow humans (Zalalaen, n.d.). The opposite of 'aqd is al-ḥall, which means to unravel or release. Etymologically, 'aqd means to bind, to bring two ends together, and then to connect them to each other. This term was originally used for inanimate objects, such as tying a rope or joining parts of a building. However, in its development, the meaning of 'aqd has also been used in a normative and legal context, namely as a binding promise or oath, as reflected in the marriage contract.

Muamalah as a Promise

وَلَا تَقْرُبُوا مَالَ الْيَتَمِّ إِلَّا بِأَيْتِيْهِ هِيَ أَخْسَنُ حَتَّى يَئُمُّعَ آشْدَدَّ وَأَوْفُوا بِالْعَهْدِ لِئَلَّا الْعَهْدُ كَانَ مَسْؤُلًا ﴿٣﴾

Meaning: Do not approach the property of orphans except in the best manner (by developing it) until they reach maturity, and fulfil your promises, for indeed, you will be held accountable for your promises.

Interpretation of An-Isra Verse 34

1. Asbabun Nuzul

At that time, the Messenger of Allah said to Abi Dzar, 'O Abi Dzar, I know that you are weak, and I love you as I love myself. Do not take charge of two matters, and do not take possession of or be responsible for the property of orphans.'

2. General Meaning

This verse is interpreted to mean that property managed as a trust must not be taken. What should be done is to develop and invest the property so that when the trust can be managed by the owner (the orphan), it can be given immediately. This is on the condition that the owner is capable of managing it mentally and physically (Shihab, 2005). Additionally, there is a promise that is always binding on humans. The promise is in the form of a mandate that will be questioned in the hereafter and held accountable.

3. Meaning of Mufradat

الْعَهْدٌ al-ahd is a promise that you make with Allah's servants other than yourself, to be strong and steadfast (Al-Maraghi, 1993).

Usury in Trade and Loan Relief in Muamalah

Interpretation of Al-Baqarah Verse 275:

الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يُفُؤُمُنَ إِلَّا كَمَا يَأْكُلُونَ الَّذِي يَتَحَبَّطُهُ الشَّيْطَنُ مِنَ الْمُسِّنِ ذَلِكَ بِأَنَّهُمْ قَالُوا إِنَّمَا الْبَيْعُ مِثْلُ الرِّبَا وَأَحَلَ اللَّهُ الْبَيْعَ وَحْرَمَ الرِّبَا فَمَنْ جَاءَهُ مَوْعِدَةً فَمَنْ زَرَهُ فَأَنْهَى فَلَمَّا مَا سَلَّفَ وَأَمْرَأَةٌ إِلَيَ اللَّهِ وَمَنْ عَادَ فَأُولَئِكَ أَصْحَبُ النَّارِ هُنَّ فِيهَا خَلِيلُونَ ﴿٢٥﴾

Meaning: Those who consume (transact with) usury cannot stand, except like one who stands staggering because of demonic possession. This is because they say that trade is the same as usury. Yet Allah has permitted trade and forbidden usury. Whoever receives a warning from his Lord (regarding usury) and then desists, what he has already taken is his, and his case is with Allah.

1. Asbabun Nuzul

When the Prophet Muhammad was performing the Isra and Mi'raj, Allah showed him a group of people with many snakes coming out of their stomachs. The Prophet asked, 'Who are they, O Jibril?' Jibril replied, 'They are those who consume usury.' (Kasir, 2023)

2. General Meaning

The usury mentioned is riba nasi'ah and riba fadl. Riba nasi'ah is usury that extends the payment period with an additional charge. Meanwhile, riba fadl is selling an item with an additional amount or difference on the item being sold. Riba and buying and selling are considered the same because many scholars have stated that the absence of riba is an obstacle to competition between Muslims and other communities. The reasons for the prohibition of riba are also explained: riba hinders a person from pursuing a profession, riba breeds enmity, Allah has stipulated that transactions are permitted to take profit as compensation, but not through riba, and the consequence of riba is destruction (Al-Maraghi, 1993). In another interpretation, people who engage in usury do not have inner peace and are always afraid that their loans will not be repaid. It is an obligation for Muslims to stop usury because previous sins will be erased if they stop usury (Hamka, 1992). Another meaning of Surah Al-Baqarah: 275 is a warning to those who practise usury, likening them to madmen.

3. Meaning of Mufradat

الرِّبْوُ is jihad or addition (Al-Maraghi, 1993).

Interpretation of Al-Baqarah Verse 280:

وَإِنْ كَانَ دُونَ عُسْرَةٍ فَنَظِرْهُ إِلَى مَيْسَرَةٍ وَإِنْ تَصَدَّقُوا خَيْرٌ لَكُمْ إِنْ كُنْتُمْ تَعْمَلُونَ

Meaning: If he (the debtor) is in difficulty, grant him respite until he finds ease. It is better for you to forgive the debt if you know.

1. Asbabun Nuzul

The Bani Amr ibn Umair from the Bani Saqif clan and the Banil Mugirah from the Bani Makhzum clan had engaged in usury during the Jahiliyyah period. When Islam came, they embraced it, and the Bani Saqif demanded payment from the Bani Mugirah, asking for more than the principal amount (interest). The Bani Mugirah held a meeting and decided that they would not pay the interest (usury) under Islam, as their business had become Islamic. Attab ibn Usaïd, who was the deputy of Mecca, sent a letter to the Prophet Muhammad (peace be upon him) asking about this matter, and this verse was revealed (Kasir, 2023).

2. General Meaning

This verse explains that if there is a delay in payment, usury is not permitted, but one must wait for the borrower until they can repay or donate the payment. Allah grants leniency to the borrower to repay their debt when it becomes easy for them to transact (Quthb, 2002).

3. Meaning of Mufradat

مَيْسَرَةٌ means in a state of abundant sustenance (Al-Maraghi, 1993).

Muamalah as a sale and Purchase Transaction

Interpretation of An-Nisa Verse 29

يَأَيُّهَا الَّذِينَ آمَنُوا لَا تُأْكِلُوا أَمْوَالَكُمْ بِيَنْكُمْ بِالْبَاطِلِ إِلَّا أَنْ تَكُونَ تِجَارَةً عَنْ تَرَاضٍ مِنْكُمْ وَلَا تَشْتَرُوا أَنْفُسَكُمْ لَئِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا

Meaning: O you who believe, do not consume one another's wealth unjustly, except in a manner that is mutually agreed upon among you. Do not kill yourselves. Verily, Allah is Most Merciful to you. (An-Nisa:29)

1. Asbabun Nuzul

This relates to a man who bought a garment from another man. The first man said, 'If I like it, I will keep it, and if I don't like it, I will return it along with one dirham.' Ibn Abbas said that this is what Allah SWT mentioned in Surah An-Nisa verse 29 (Kasir, 2023).

2. General Meaning

The meaning of Surah An-Nisa verse 29 can be interpreted as prohibiting the consumption of one another's wealth in an unlawful manner. And the benefit of making it lawful is through trade. The phrase **لَا إِنْ عَكَنْ تِجَارَةً** is an istisna' munqathi, or a disconnected exception. Trade is one of the permissible means of transaction. Trade must be conducted through mutual consent regarding payment and goods until an agreement is reached (Quthb, 2002).

3. Meaning of Mufradat

تِجَارَةً is trade

Hadith on Muamalah

The hadith related to muamalah that supports the above verse of the Qur'an is as follows:

Imam Muslim narrated in his Sahih (no. 1598) about usury

لَعْنَ رَسُولِ اللَّهِ أَكْلُ الرِّبَا وَمُؤْكِلُهُ وَكَاتِبُهُ وَشَاهِدُهُ وَقَالَ: هُمْ سَوَاءٌ

The Messenger of Allah, peace and blessings be upon him, cursed those who consume (use) usury, those who give usury, those who write it down, and the two witnesses. He said, 'They are all the same.'

Asbab al-Wurud from this hadith reveals that the practice of usury during the time of the Prophet Muhammad SAW was very disturbing and often involved many parties, all of whom were involved in various aspects of the transaction. The verses of the Qur'an that prohibit usury had already been revealed, and the Prophet Muhammad SAW clarified the strict prohibition of usury in his hadiths.

Sahih Al-Bukhari Hadith No. 2219 - Ease in loans and repayment of debts:

حَدَّثَنَا حَلَّادُ بْنُ يَحْيَى حَدَّثَنَا مُحَارِبُ بْنُ دَنَارٍ حَدَّثَنَا مُحَارِبُ بْنُ عَبْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُمَا قَالَ أَتَيْتُ الشَّيْءَ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَهُوَ فِي الْمَسْجِدِ قَالَ مِسْعَرٌ أَرَاهُ قَالَ صُحْنِي فَقَالَ صَلَّى رَكْعَتَيْنِ وَكَانَ لِي عَلَيْهِ دَيْنٌ فَقَضَيْتُهُ وَزَادَنِي

Khallad bin Yahya narrated to us, Mis'ar narrated to us, Muharib bin Ditsar narrated to us from Jabir bin 'Abdullah, may Allah be pleased with both of them, who said: 'I met the Prophet, peace be upon him, while he was in the mosque.' Mis'ar said: 'I think he said, 'during the dhuha time''. Jabir bin 'Abdullah said: 'He performed two rak'ahs of prayer.' At that time, he owed me a debt. So he paid it off and gave me extra."

The reason for the narration of this hadith is the story of Jabir bin Abdullah, who happened to have a debt owed to him by the Prophet and kept demanding payment. However, after being reminded, the Prophet settled the debt and even gave him extra money beyond what was owed.

Hadith narrated by Sahih Muslim, No. 3732

'If any of you makes a promise, then he should fulfil it, unless he finds something better than the promise he made.' (Hadith narrated by Sahih Muslim, No. 3732)

Asbab al-Wurud This hadith does not have a specific asbab al-wurud (background) like the verses of the Qur'an, because it is a general warning given by the Prophet Muhammad SAW in the daily lives of Muslims. The Prophet Muhammad (peace be upon him) wanted to teach Muslims to keep their promises in all matters and to show that keeping promises is a characteristic of believers. This can be seen in other hadiths which explain that one of the signs of hypocrites is that they make promises and then break them.

Implementation of Muamalah in Hospital Finance

Muamalah activities in hospital finance involve contracts in financial transactions. Contracts used in hospital finance activities include

1. Ijarah

This is the right to use goods, in the form of services or goods, which will ultimately be paid for. In this case, the bank acts as the lessee (musta'jir) and the hospital acts as the lessor (mu'jir) (Faizin, 2020).

2. Bai'

This involves the sale and purchase of goods in exchange for a certain amount of money. Hospitals that already have a bai' certificate use the hospital channel as a supplier of equipment or goods from suppliers and ultimately sell them to patients.

3. Mudharabah

Is the investment of capital between investors or capital owners. Mudharabah is carried out in the management of medical equipment or laboratory equipment (Andrean et al., 2022).

4. Musyarakah mutanaqasah

There is a syirkah transaction in which one of the owners gradually reduces their ownership due to purchases by the other party.

5. Wakalah bil Ujrath

The application of a power of attorney agreement to another person to do something for which they will be given a fee as compensation (Anggraeni, 2020).

6. Tabbaru'

Applies to agreements with insurance intermediaries and patients.

The sale and purchase of medicines in hospitals can be categorised as free of usury because there are no loans on medicines that generate interest. This is because the sale and purchase of medicines in hospitals generates profits from patients through the sale of medicines, which cannot be considered usury (Sasmitta Nurfaradisa, 2021). This is because sale and purchase cannot be equated with usury. However, the clarity of medicine prices still needs to be questioned, including whether they fall under gharar or not. This is because medicine transactions can vary between hospitals. This issue needs to be studied further. However, in the category of medicines, the selection of medicines used should be those that are certified halal (Andrean et al., 2022). Additionally, if they are not yet certified halal, it is best to avoid using haram ingredients and to obtain informed consent (Faizin, 2020).

Conclusion

Muamalah in the interpretation of Surah Al-Maidah:1, Al-Isra:34, Al-Baqarah: 275, Al-Baqarah 280, and An-Nisa verse 29 has 3 types of 4 vocabulary words that can be highlighted. One of them is Al-Uqud, where muamalah is defined as a binding contract. In addition, there are also the words Riba, Maisarah, and Tijarah. All of these words mean that muamalah is a binding contract, unlike riba, which has a grace period and is a commercial contract. In its implementation, muamalah in hospital finance uses around six applicable contracts, namely ijarah, ba'i, mudharabah, musyarakah, wakalah bil ujrath, and tabarru'. However, there is still debate in the discussion results that can be examined regarding the different prices of medicines in several places. This can be a further study that can be developed in the future.

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