



Legal Relationship with Law No. 11 of 2020 Concerning Job Creation Using a Benefits Approach

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Abstract. The main problem in this research is to examine the issue of the concept of Law Number 11 of 2020 concerning Job Creation Using a Beneficial Approach, regarding the view of Islamic Law regarding Law No. 11 of 2020 concerning Job Creation, benefits of Law no. 11 of 2020 concerning Job Creation for workers and the existence of Law no. 11 of 2020 concerning Job Creation from a Sharia Economic Law perspective. The type of research used in this research is library research. The data sources used are primary data and secondary data. The results of this research are that the review of Islamic law in Law no. 11 of 2020 concerning Job Creation is a form of preserving the soul (hifzh al-nafs) in the principles of maqashid sharia as a means of maintaining their economic rights to survive. As for the benefits of Law no. 11 of 2020 concerning Job Creation that can be felt at this time, namely: creating jobs, encouraging investment, an easier and faster licensing system, and simplified investment requirements. The value of Sharia Economic Law is viewed from Law no. 11 of 2020 concerning Job Creation, providing sharia economic growth, especially in the sharia financial industry in Indonesia such as Sharia Banks, Non-Bank Sharia Financial Industry, Sharia Cooperatives and Sharia Capital Markets, in the future there will be great opportunities in running their business.

Keywords: Relevance, Law, Job Creation, Benefits.

INTRODUCTION

Jokowi brought a proposal to implement the Job Creation Bill (RUU) to the DPR on February 7 2020. The aim is to attract as much investment as possible. That way, employment opportunities will be opened as widely as possible. The policy was introduced because it saw the impact of an unproductive workforce. The initial event of bureaucratic reform carried out by President Joko Widodo was when at the start of his administration investment was still relatively low. Even though every year there was always growth, this did not make the Jokowi-Jusuf Kalla government at that time dissatisfied.

Therefore, in 2018 President Joko Widodo's government under the Coordinating Minister for the Economy Darmin Nasution issued 16 economic policy packages. One of the points of the issuance of the economic policy package is to make it easier for investors to enter.

In this package of 16 economic policy packages, there are several things that can develop investment. For example, Law Number 11 of 2022 concerning Job Creation, this article discusses patterns for developing and implementing people's welfare by implementing and opening up the

widest possible employment opportunities. This rule is certain, involving investors. This is because the Job Creation Law is intended for domestic and foreign people who want to develop their businesses in Indonesia and provide employment opportunities for the community.

The development of the Job Creation Law, if seen from its implementation in Indonesia, has indeed seen an increase in the economic, social and cultural industrial sectors. After this law was passed, job openings increased every year. From data released by BPS, the working population was 131.5 million people since August 2020. Employment experienced the largest percentage increase through the processing industry sector by 0.65%, with 77.91 million people or 59.45% working in informal activities.

This shows a positive response for the workforce in Indonesia. However, on the other hand, some people believe that the presence of the Job Creation Law will only provide big profits for investors. This law is considered to be in conflict with workers' rights, for example regarding MSMEs and severance pay. Apart from that, several experts also consider that the Ciptaker Law with its omnibus law concept is not suitable for implementation in Indonesia, where the majority religion is Islam.

Seeing the differences in thinking concepts and the implementation of the Job Creation Law, especially in 2020, the author will conduct research using a benefit approach. Where benefit itself is anything that is beneficial to humans, either in the sense of attracting or producing, such as generating profit or pleasure in the sense of rejecting or avoiding harm.

Based on the background of the problem above, the researcher feels it is necessary to conduct a study and analysis of the law regarding the implementation of Law no. 11 of 2020 concerning Job Creation for workers in Indonesia. With the title "The Relevance of Islamic Law to Law Number 11 of 2020 concerning Job Creation Using a Benefit Approach".

RESEARCH METHODS

The type of research used in this research is library research. Research with data collection or scientific writing with the aim of analysing analysis of research objects or collecting data of a library nature, or research used to solve a problem which is basically based on relevant library materials. The approaches used are normative, philosophical, beneficial and sociological. The data sources used are primary data and secondary data.

RESULTS AND DISCUSSION

Islamic Law's View of Law no. 11 of 2020 concerning Job Creation

In Islamic law, it is known as the concept of *Maqashid syariah*. *Maqashid syariah* are the legal objectives behind the implementation of Islamic rules. According to the history of Islamic legal theorists, *maqashid syariah* is an alternative expression of *masalih* (*maslahah*). Abd al-Malik al-Juwayni (d. 478/1185 AD) was one of the theorists who contributed to the *maqashid* theory known today, using the concepts of *maqashid syariah* and *al-masalih al-ammah* (interest general) alternately. Abu Hamid al-Ghazali (d. 505/1111 AD) elaborated on the classification of *maqashid* which he placed in its entirety under the title *al-masalih al-murlah*. Fakhrud al-Din al-Razi (d. 6060 AH/1209 AD) and al-Amidi (d. 631 AH/1234 AD) followed al-Ghazali in the terminology they used. Najmu al-Din al-Tufi (d. 716.1316 AD) who gave a higher position to *al-maslahah* beyond the specific implications of the text which emphasized *maslahah* as fulfilling the objectives of the law maker (legislator).²

In other words, *maqashid syariah* is the purpose and secret hidden behind and desired by Allah SWT in establishing all or part of His laws. The essence of the purpose of sharia is to maintain *mashlahah* (goodness) and avoid *mafsadah* (damage) for humans both in this world and in the afterlife.³

In this regard, the formulation of the theory of *maqashid syariah* by ash-Syâthibî is seen as an effort to establish *mashlahah* as an important element of the objectives of Islamic law.⁴

In general, the formulation of *maqashid sharia* is based on the content of the verses of the Qur'an which show that the law of Allah SWT contains *mashlahah*. These verses, translated:
"And We did not send you (Muhammad), but to (be) a mercy to the worlds." ⁵

Translation:

"The apostles were bearers of good news and givers of warning, so that there would be no reason for people to argue with Allah after the apostles were sent. Allah is Mighty, Most Wise."

Maqashid syariah is the goal of Allah SWT and His Messenger in formulating Islamic laws. This goal can be traced in the verses of the Qur'an and the Sunnah of the Prophet as a logical reason for the formulation of a law that is oriented towards the benefit of humanity.

In an effort to realize and maintain these five main elements, al-Syatibi divided them into three levels of *maqashid as-syari'ah* or objectives of sharia, namely:

a. Dharuriyat Needs

Dharma needs are the level of needs that must exist or are called primary needs. If this level of need is not met, the safety of humanity will be threatened both in this world and in the afterlife. According to al-Syatibi, there are five things included in this category, namely maintaining religion, soul, reason, honor, and descendants, and property. It is to maintain these five basic principles that Islamic law was revealed. If every legal paragraph is examined, the reason for its formation will be found, which is none other than to maintain these five points. 9

The Islamic religion has prescribed various laws that guarantee the realization and formation of each of these five things and various laws that guarantee their maintenance. The Islamic religion embodies the things that are desirable for humans.

b. Hajj needs

Hajiyat needs are secondary needs, which if not realized will not threaten one's safety, but will experience difficulties. Things that are human hajiyat refer to things that remove difficulties from them, lighten the burden of taklif from them and facilitate various kinds of muamalah and exchanges. The Islamic religion has prescribed a number of laws in various chapters on muamalah, worship and punishment, the aim of which is to eliminate difficulties and provide convenience for humans.

c. The Need for Tahsiniyat

Tahsiniyat needs are the level of needs which, if not met, do not threaten the existence of any of the five points above and do not cause difficulties. This level of need is in the form of complementary needs.¹³ Islam has prescribed in various chapters on worship, muamalah, and punishment a number of laws which are intended for improvement and beauty as well as familiarizing people with the best customs as well as pointing them towards the best and straightest path.

From this description, it can be seen that the aim of Islamic law is to create benefits for human life. This benefit can be achieved by realizing habits and avoiding damage to human life with maintaining the basic elements of human benefit in the form of religion, soul, reason, hereditary and property. The level of maintenance of these elements is differentiated into levels called al-dharuriyat, al-hajiyat, and al-tahsiniyat.

According to al-Syatibi, in his opinion, in order to realize benefits in this world and the hereafter, there are five main elements that must be maintained and realized, namely:

- a. Maintaining religion (hifz al-din),
- b. Maintaining the soul (hifz al-nafs),
- c. Maintaining reason (hifz al-aql),
- d. Maintaining offspring (hifz al-nasl),
- e. Maintaining assets (hifz al-mal).¹⁵

Thus, when the perspectives of Al-Ghazali and al-Syatibi are brought together, then *ad-dhoruriyyat al-khomsah* (*al-kuliiyat khomsah*) or also called the five *Maqashid syariah* namely religion, soul, reason, lineage and wealth are given Ranked in order, namely, *dharuriyyat* (primary), *hajjiyyat* (secondary) and *tahsiniyyat* (tertiary). The explanation is:

- a. Maintaining religion (hifz al-din)

The content is found in Q.S al-Rum/30:30,

The maintenance of religion (*hifz al-din*) is the main goal of the revelation sent down by Allah SWT to mankind. The sending of prophets and apostles where they brought sacred messages from Allah SWT, aims to maintain the existence of religion in the lives of mankind. Therefore, choosing a religion is the main benefit for human life. And the benefits of maintaining this religion can be divided into three levels of benefits, namely:

- 1) Maintaining religion at the *dharuriyah* level, namely maintaining and carrying out religious obligations that are included in the primary level, such as performing the five daily prayers. If prayer is neglected, the existence of religion will be threatened.
- 2) Maintaining religion in the *Hajj* stage, namely carrying out religious provisions, with the aim of avoiding difficulties, such as congregational prayers and *qasar* for people who are traveling. If this provision is not implemented then it will not threaten the existence of religion, but we will only make things difficult for people who do it.
- 3) Maintaining religion at the *tahsiniyah* level, namely following religious instructions to uphold human dignity, as well as completing obligations to God, for example cleaning the body, clothes and places.

- b. Nurturing the soul (hifz al-nafs)

Many sharia texts explain the importance of maintaining the human soul. The verses about *qisas* are one that confirms, namely: Q.S al-Baqarah/2:178-179,

“O you who believe! It is obligatory on you (to carry out) *qisas* regarding the person who was killed. Free people with free people, slaves with slaves, women with women. But whoever

obtains forgiveness from his brother, let him follow it well, and pay the diat (ransom) to him well (also). This is relief and mercy from your Lord. Whoever exceeds the limit after that, he will suffer a very painful punishment." 19

The preservation of human life is the main interest and concern of religion revealed by Allah SWT to humanity. Religion is a guide for humans to live this life correctly without having to commit unjust acts against themselves or other humans. Honor of life is the main pillar of religion, therefore Allah SWT condemns and threatens people who do not respect human life. Efforts to maintain the existence of human life are also divided into three levels of benefit, namely:

- 1) Maintaining the soul at the dharuriyah level such as fulfilling basic needs in the form of food to sustain life,
- 2) Maintaining the soul at the hajiyat level, such as allowing hunting of animals to enjoy delicious and halal food, if this is ignored it will not threaten the existence of human life, but will only make life difficult,
- 3) Maintaining the soul at the level of tahsiniyat such as determining the rules for eating and drinking.

c. Maintaining reason (hifz al-aql) 20

The content is found in Q.S al-Maidah/5:90,

O you who believe! Indeed, drinking alcohol, gambling, (sacrificing to) idols, and drawing lots of fortunes with arrows, are abominable acts. So stay away from those (actions) so that you will be lucky." 21

In order to protect this mind, several levels of effort need to be made by humans, namely:

- 1) Maintaining reason at the dharuriyah level, such as it is forbidden to drink alcoholic beverages because it threatens the existence of reason,
- 2) Maintaining reason at the level of hajiyat, as recommended by seeking knowledge,
- 3) Maintaining reason at the tahsiniyat level, such as avoiding fantasizing and listening to things that are not useful.

d. Maintaining offspring (hifz al-nasl) 22

The content is found in Q.S al-Nur/24:3,

Translation:

“A male adulterer may not marry except a female adulterer, or an idolatrous woman; and female adulterers may not marry h except with male adulterers or with male polytheists, and such are prohibited for the believers.”²³

Procreation is a basic right for humans to continue their life line. Religion was revealed by Allah SWT in order to provide guidance and rules for mankind to be able to maintain their natural existence well. The commands to have a family and avoid adultery are concrete rules from Allah SWT to protect the human lineage. Therefore, humans must implement protection for offspring in their lives. In order to protect this offspring, several levels of effort need to be made by humans, namely:

- 1) Maintaining offspring at the dharuriyah level such as marriage is prescribed and adultery is prohibited,
- 2) Maintaining offspring at the hajiyat level, as stipulated in the provisions stating the dowry at the time of the marriage contract,
- 3) Maintaining offspring at the tahsiniyat level as required by khitbah and walimah in marriage.

e. Maintaining assets (hifz al-mal)

The content is found in Q.S al-Maidah/5:38,

"As for men and women who steal, cut off the hands of both (as) retaliation for what they have done and as a punishment from Allah. And Allah is All-Mighty, All-Wise.”²⁵

In order to protect this treasure, several levels of effort need to be made by humans, namely:

- 1) Maintaining assets at the dharuriyah level such as sharia regarding procedures for property ownership and the prohibition of taking people's assets in an unauthorized manner,
- 2) Maintaining assets at the hajiyat level, such as the Shari'a regarding buying and selling regarding the sale and purchase of salam,
- 3) Maintain assets at the tahsiniyat level, such as ensuring that you avoid deception or fraud.

The Al-Qur'an and al-Sunnah as complete sources of Islamic teachings in terms of the basic principles of law with its various aspects, must be understood using ijtihad methods with emphasis on Maqashid syariah. This concept provides the best alternative for developing ijtihad methods. Understanding the considerations of Maqashid syariah as a philosophical approach can be more

dynamic in understanding Islamic law contextually and can capture the true spirit of Islamic teachings.²⁶

Thoughts regarding *Maqashid syariah* and *mashlalah* are like two sides of a coin that cannot be separated in discussion. Which of the two studies came earlier and who initiated it, always appears in the discourse. *Maqashid syariah* became more popular in the hands of Abu Ishak al-Syatibi (died in 790 H) in his book *al-Muwafaqat fi Ushul al-Shari'ah*. However, it does not mean that al-Syatibi initiated the thought of *Maqashid syariah*. From the definition given by al-Ghazali who pioneered this study. It is also possible that he got it from his teacher Abu al-Ma'ali al-Juwaini, called Imam al-Haramai, who pioneered it, although he emphasized more on the study of benefits. The term benefit is thought to have appeared much earlier.²⁷

The emergence of thinking about *maqashid syariah* and benefits can be expected to go hand in hand with thinking about *dalil syara'* and its use. The mujtahid's habit in dealing with a case that arises is always to look for guidance from the Qur'an in all its aspects. If they do not find guidance in the Qur'an, they look for the answer in the Sunnah of the Prophet Muhammad SAW and do not find any guidance from the Islamic propositions which they use alternatively, mujtahids try to imitate the method used by Allah SWT in establishing the law, that is, when they do not find a definitive *syara'* argument, but there is harm there, then the mujtahid sets a prohibitive law as Allah SWT forbids anyone who causes harm. Likewise, an action is believed to be good and contains benefits, there the mujtahid sets orders as Allah SWT orders to do a good deed, either in the form of obligatory or obligatory.²⁸

Before the passing of Law no. 11 of 2020 concerning Job Creation, the MUI Institute has conveyed several benefits and disadvantages of the Job Creation Bill based on the direction of the creation of the Job Creation Bill.²⁹

As is the case in Islamic law or known as sharia. The creation of the Shari'a by Allah SWT is a guideline for the lives of servants, so that if guidelines are created then therein lies the purpose of the existence of the Shari'a and its implementation. This goal is called and commonly known as *maqashid syari'ah*. What is the definition and understanding of *maqashid sharia* is essentially a goal that leads to achieving benefit. Sharia is for human benefit, positive law for the welfare of the people.

A law exists inseparably because there are problems that need to be resolved through that law. As is currently being experienced by the Indonesian people. Experiencing percamp Slow progress in economic development can trigger a weakening of the level of welfare of the people.

The main thing highlighted in this research is related to Law no. 11 of 2020 concerning Job Creation is in the employment section. However, in this case, opposition arose from members of the public who were seen as protecting entrepreneurs and reducing the rights of workers/laborers. The consequences that arise if rights are not fulfilled are that prosperity will be difficult to achieve. It is not surprising that workers staged demonstrations to fight for their rights again.

In connection with this problem, what are these workers/laborers doing to defend their rights for the sake of justice and especially their survival through the rights they receive from work. Maintaining their economic rights to survive is a form of preserving the soul (hifzh al-nafs) in the principles of maqashid sharia.

- Hifzh al-nafs or maintaining the soul in terms of its importance has 3 (three) levels, namely:
- 1) The level of dharuriyyat, is a sharia relating to how to maintain human life. One effort to maintain the continuity of life is to fulfill basic needs.³⁰ The efforts of workers/laborers to fight for their rights following the creation of Law no. 11 of 2020 concerning Job Creation is a form of effort to defend their right to life. If regulations containing rules harm their basic rights, then this is far from a benefit and can result in the existence of human life being threatened.
 - 2) The hajiyyat rank, is the sharia relating to secondary needs. This does not have an impact on human survival, it will only make human life more difficult if ignored.³¹ The emergence of Law no. 11 of 2020 concerning Job Creation which creates opposition for workers/laborers, mobilizes a series of workers/labor unions to express their aspirations. Expressing aspirations is the right of every citizen, but if you convey them alone it can make things difficult for yourself. Where time and energy are wasted and in the end we don't know what the results will be, so conveying aspirations to maintain the right to survival in an organized manner through workers/labor unions is better than just individuals.
 - 3) Tahsiniyyat rank, is the sharia which is related to methods and ethics. This will not threaten the survival of human life and will not make human life difficult if ignored. ³² However, the ethics of an entrepreneur in doing business and carrying out applicable legal provisions must be taken into account in good faith so that the basic rights of workers/laborers can also be maintained.

fulfilled well.

The teachings conveyed regarding muammalah cannot be separated from the relationships that occur between human beings. This relationship exists to fulfill needs and avoid arbitrariness by either party in carrying out muammalah activities. The Qur'an and Hadith have regulated all of this so that in principle, muammalah cannot be separated from the divine aspect. 33

The most important basic principle in muammalah is to realize the benefit of humanity. This is done by considering and paying attention to the situation and conditions around humans themselves. Furthermore, the general rules relating to muammalah that must be considered are as follows:

- 1) All actions related to muammalah basically cannot be separated from the divine aspect,
- 2) All actions related to muammalah must pay attention to human values, be fair, and avoid the nature of injustice or oppression,
- 3) Pay attention to considerations regarding personal benefit and for the general public (society). The existence of benefits aims to create goodness and bring benefits both individually and in groups. The element of benefit is fulfilled if it is in accordance with the Shari'a and benefit is fulfilled when it does not cause harm to one of the parties
- 4) Prioritize the principle of equality and equality of rights and obligations between fellow human beings,
- 5) Avoiding harm, in this case things that are fraudulent, exploitative, manipulated and deceitful which can harm one of the parties,
- 6) Pay attention to the good things. Muammalah is a social system in Islam that can be understood from maqashid sharia, namely to maintain five things in human life, religion, mind, soul, offspring and property. Therefore, muammalah is another name for a form of Muslim association that seeks to create prosperity and peace.

Maintaining the character of trust. When carrying out muammalah activities, especially those related to business, be honest Trust and trust are the most important things. This can create peace and increase feelings of mutual trust between fellow humans.

Several principles of muammalah are intended to create benefit among humans, this is in line with the essence of maqashid sharia. Looking back at the problems of the employment section in Law no. 11 of 2020 concerning Job Creation which has been stipulated by the government, is indirectly far from the scope of discussion of maqashid sharia. However, from the products

produced, namely provisions related to employment which concern the rights and obligations between workers/laborers and entrepreneurs, this is a form of muammalah practice which is regulated and controlled through Law no. 11 of 2020 concerning Job Creation.

The application of the omnibus law concept which summarizes so many regulations under the pretext of economic development does not necessarily take into account the interests of time speed and certain targets. The amended provisions involve many of the interests of employers and workers/laborers. The benefits to be achieved from both parties should also be taken into consideration. Especially in Indonesia, which is a country with democratic principles. So that the provisions of Law no. 11 of 2020 concerning Job Creation to run as it should and achieve the expected goals, the relevant parties need to be involved and participate from the beginning of preparation to the end of ratification. This is the principle of muammalah that is applied, because this will not discriminate against any party or harm any party.

The efforts and efforts made by the Government indeed have good aims for the Indonesian nation in the economic sector. Seeing the provisions of the changes that reduce workers' rights and provide many conveniences to employers, this illustrates the existence of injustice. There is a gap in the rules there. Meanwhile, if workers' rights are cut off, the benefits for workers are not achieved by one party, even though a law should be able to protect the rights of related parties, not elevate one's interests just because of position and authority.

The Job Creation Law and several other omnibus laws made using the omnibus law method should be more pro-workers and ordinary people and reorganize economic assets so that they do not end up in the hands of just a group of people. Equal distribution of economic assets will automatically improve the welfare of the majority of people because the economy is driven by economic units, such as MSMEs and other micro units spread throughout households. Not relying on a group of people like now.

The most important point that needs to be taken into account is that Islam teaches all people to stop considering humans as goods (commodities). Furthermore, humans should not treat other humans as tools to gain profit. Because after all he has rights and obligations attached to him as intended by maqasid sharia. Of course, there is only one system outside of Islam that exists today that treats humans as production capital, namely the conventional economic system, whether it tends towards capitalism or socialism.

Benefits of Law no. 11 of 2020 concerning Job Creation for Workers

Law No.11 of 2020 concerning Job Creation (UU Job Creation) has amended dozens of laws, one of which is Law No.13 of 2003 concerning Employment. There have been several significant changes in employment norms, including PKWT regulations, outsourcing, use of foreign workers, layoff mechanisms, as well as administrative and criminal sanctions.

In the Islamic legal system, the function of the ruler is very clear, namely how much authority the ruler has in exercising power as caliph of Allah SWT in said Q.S al-Baqarah/2:30,

"Remember when your Lord said to the Angels: "Indeed, I will make a caliph on earth." They said: "Why do you want to make (caliph) on earth someone who will cause damage to it and shed blood, even though we always glorify you by praising you and purifying you?" God says: "Indeed, I know what you do not know."

So in the Islamic system, the ruler is the holder of the mandate, not someone who can act arbitrarily in exercising his power. The ruler is bound by laws originating from the Koran, Sunnah, Ijma' and Qiyas. The power of leaders in the Islamic system is limited by the obligation to safeguard the objectives of the revelation of the sharia (Maqasidu Syariah), namely hifzhul al din (guarding the religion), hifzhul an nafs (guarding the soul/body), hifzhul al aql (guarding the mind), hifzhul an nasl (protecting honor/offspring) and hifzhu al maal (protecting property). The leader tries to maintain public order and guarantee social justice through its policies.

According to researchers, the possible benefits that can be felt at this time are:

- a. Creating Jobs
- b. Job Creation Law Encourages Investment
- c. Easier and faster licensing system
- d. Investment Requirements Simplified.

Law no. 11 of 2020 concerning Job Creation from a Sharia Economic Law Perspective

As for the values of Sharia Economic Law, in terms of Law No. 11 of 2020 concerning Job Creation, it is a breath of fresh air for the growth of the sharia economy which has a big impact on the Job Creation Law, especially in the sharia financial industry in Indonesia such as Sharia Banks, the Financial Industry Non-Bank Sharia, Sharia Cooperatives and Sharia Capital Markets will have great opportunities in running their business in the future.

One of the things that has been strengthened is the issuance of Government Regulation Number 38 of 2021. To implement the provisions of Article 68 and Article 185 letter b of Law Number 11 of 2020 concerning Job Creation, establishing a Government Regulation concerning Accommodation Accounts for Umrah Travel Costs, this is what will to strengthen the competitiveness and great opportunity for the Sharia Financial Industry to obtain funding easily and efficiently.³⁸

It can also be seen in Article 79 of the Job Creation Law, regarding capital which previously adjusted to Bank Indonesia regulations, so now Sharia Banking for investors can regulate its regulations, meaning that investors can get better opportunities in the sharia banking regulator and it is easier due to the elimination regarding bank ownership which includes Pairing or complementary provisions.

The Job Creation Law also guarantees cooperatives with the Sharia Concept, apart from making it easier to establish cooperatives, it is also stated in Article 86 of the Job Creation Law, which includes Article 44A in the Cooperative Law, meaning that this positive impact will cover the sharia cooperative system as well as Guaranteed regulations that have been outlined in the law as a legal basis that supports the growth of sharia cooperatives in Indonesia also provide freedom for cooperatives to implement sharia principles.

So, the next impact is for Islamic educational institutions, rapid schools, assemblies, and community organizations, and other Islamic study communities to increase welfare and benefits for the people. Inseparable from the discussion of the Job Creation Law, Article 111 also regulates the concept of regulations regarding Zakat as an excluded object, this regulation will be a great opportunity for sharia economic growth, it even covers zakat and even Article 123 Waqf, as a potential that can be optimizing it runs optimally, becoming a means of optimizing people to fulfill their zakat obligations through official zakat institutions such as BAZNAS or other Amil Zakat Institutions.

The Omnibus Law Legal Umbrella in the concept of sharia economic growth has great potential in managing zakat funds and can become a regulation of the business investment activity ecosystem as a protective support for the growth and empowerment of cooperatives and MSMEs, so cash waqf and zakat are truly a solution to the economic growth of the people.

Excerpted from a written statement from the Ministry of State Secretariat: Implementation of the Job Creation Law requires several technical implementation regulations which include, among other things, the risk-based business licensing implementation sector; convenience, protection and empowerment of cooperatives and MSMEs, taxation that supports ease of doing business; spatial planning; environment and forestry, the land sector, and the employment sector, implementing regulations for the Job Creation Law which consists of 45 government regulations and 4 presidential regulations, which are expected to immediately have an impact on efforts to restore the national economy as well as become a momentum for the revival of the Indonesian nation.

The convergence of the Job Creation Law with the values of Sharia Economic Law is contained in various articles, and many can even be used as a legal basis for improving the economy of the people and society, together with the Implementing Regulations of the Job Creation Law as derivatives in Government Regulations and The Presidential Regulation requires a more in-depth analysis so that it can become a barometer for the implementation of Sharia Economic Law in Indonesia.

CLOSING

Law no. 11 of 2020 concerning Job Creation is a form of preserving the soul (hifzh al-nafs) in the principles of maqashid syari'ah as a means of maintaining their economic rights to survive and as a legal umbrella for people to get opportunities and opportunity to get work.

As for the benefits of Law no. 11 of 2020 concerning Job Creation which can be felt at this time, namely: creating jobs, encouraging investment i, the licensing system is easier and faster, and investment requirements are simplified.

The values of Sharia Economic Law are reviewed from Law no. 11 of 2020 concerning Job Creation, providing sharia economic growth, especially in the sharia financial industry in Indonesia such as Sharia Banks, Non-Bank Sharia Financial Industry, Sharia Cooperatives and Sharia Capital Markets, in the future there will be great opportunities in running their business.

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