

Maslahah Mursalah's Analysis of Women Small Traders in Meeting Household Needs at Sambas Morning Market, West Kalimantan

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Abstract: This research discusses the activities of women as small traders in the Sambas Morning Market and their contribution to the household economy from the perspective of maslahah mursalah. The problem raised is the extent to which the economic role of women small traders contributes to meeting household needs and how these activities are reviewed from the perspective of Islamic law, especially the concept of maslahah mursalah. This study uses a qualitative method with a field approach. Data was collected through in-depth interviews, direct observation, and documentation of the activities of women traders in the market. The results of the study show that women small traders make a significant contribution in supporting basic household needs, such as food, children's education, and health. From the point of view of maslahah mursalah, this activity is classified as a form of benefit that does not contradict the provisions of sharia because it brings real benefits, both individually and socially. As long as this trade activity is carried out by holding Islamic values such as honesty, responsibility, and maintaining ethics and self-respect, the existence of women in the informal economic sector can be accepted and justified within the framework of Islamic law.

Keywords: Maslahah Mursalah, Women, Small Traders, Household, Sambas Morning Market.

Submitted: April 15, 2025

Accepted: June 23, 2025

Published: June 26, 2025

To Cite this Article: Asman, Asman, and Mohamed Aamer. "Maslahah Mursalah's Analysis of Women Small Traders in Meeting Household Needs at Sambas Morning Market, West Kalimantan". *Ahlika: Jurnal Hukum Keluarga Dan Hukum Islam* 2. 1 (2025):1-23. <https://doi.org/10.70742/ahlika.v2i1.188>.



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Abstract: Penelitian ini membahas aktivitas perempuan sebagai pedagang kecil di Pasar Pagi Sambas dan kontribusinya terhadap ekonomi rumah tangga dalam perspektif masalah mursalah. Permasalahan yang diangkat adalah sejauh mana peran ekonomi perempuan pedagang kecil berkontribusi dalam memenuhi kebutuhan rumah tangga dan bagaimana aktivitas tersebut ditinjau dari sudut pandang hukum Islam, khususnya konsep masalah mursalah. Penelitian ini menggunakan metode kualitatif dengan pendekatan lapangan. Data dikumpulkan melalui wawancara mendalam, observasi langsung, dan dokumentasi terhadap aktivitas para pedagang perempuan di pasar tersebut. Hasil penelitian menunjukkan bahwa perempuan pedagang kecil memberikan kontribusi signifikan dalam menopang kebutuhan dasar rumah tangga, seperti pangan, pendidikan anak, dan kesehatan. Dari sudut pandang masalah mursalah, aktivitas ini tergolong sebagai bentuk kemaslahatan yang tidak bertentangan dengan ketentuan syar'i karena membawa manfaat nyata, baik secara individu maupun sosial. Selama aktivitas perdagangan ini dijalankan dengan memegang nilai-nilai Islam seperti kejujuran, tanggung jawab, serta menjaga etika dan kehormatan diri, maka keberadaan perempuan dalam sektor ekonomi informal ini dapat diterima dan dibenarkan dalam kerangka hukum Islam.

Keywords: Masalah Mursalah, Perempuan, Pedagang Kecil, Rumah Tangga, Pasar Pagi Sambas.

Introduction

Maslahah mursalah is a benefit that has been shari' i in the form of law, with the aim of creating benefits, even in the absence of evidence that justifies or blames. Through this understanding, it can be taken that the formation of laws based on this benefit aims to achieve the interests of human interests, in other words, to seek something profitable, and also to avoid universal human harm. Maslahah always develops based on the problems that occur in each environment¹. The formation of laws that are maslahah mursalah does seem to be profitable in a certain period, but it does not rule out the possibility of bringing harm in the future, such as laws that can be beneficial in a certain environment but can be harmful in different environments. The

¹ Soni Zakaria, Syariful Alam, and Agus Supriadi, "Review of Maslahah Theory of Shari'a Regulation in Indonesia," in *Proceedings of the International Conference on Law Reform (INCLAR 2019)* (Paris, France: Atlantis Press, 2020), 104, <https://doi.org/10.2991/aebmr.k.200226.020>.

determination of the law based on the public interest on a matter for which there is no sharia law, both in general and in particular, can be seen from the perspective of *maslahah mursalah*². From the above meaning, it can be understood that *maslahah* includes everything that brings benefits, both through taking and carrying out an action and by rejecting and avoiding all forms that cause harm.

Abu Zahrah defines *maslahah mursalah* as follows: "*Maslahat that is in line with the purpose of Islamic sharia and certain instructions that prove its proof or denial*"³. It is undeniable that among the *madhhab ushul al-Fiqih*, there are indeed differences of opinion about the position of *maslahah mursalah* and its blasphemy in Islamic law, both accepting and rejecting. Imam Malik and the adherents of madhhab Maliki are a group that clearly uses *maslahah mursalah* as a method of *ijtihad*⁴. Imam Muhammad Abu Zahra even mentioned that Imam Malik and his followers are madhhab that proclaims and voices *maslahah mursalah* as a legal postulate and *shari'iyah argument*⁵.

In today's increasingly advanced era, the role of a woman is now undergoing many changes where what used to be a woman's role was just housework such as serving her husband and educating her children⁶. In fact,

² Muhammad Rusli et al., "CAREER WOMEN IN MASLAHAH MURSALAH PERSPECTIVE," *Jurnal Adabiyah* 22, no. 2 (December 31, 2022): 220-35, <https://doi.org/10.24252/jad.v22i2a3>.

³ Achmad Fausi and Asmuni Asmuni, "Determination of the Minimum Age Limit for Marriage: Balancing Legal Supremacy and the Objectives of Sharia in Indonesian Marriage Law," *Mazahib* 23, no. 1 (June 7, 2024): 117-54, <https://doi.org/10.21093/mj.v23i1.7611>.

⁴ M. Qamarulzaman M. Zani, Amran Abdul Halim, and Azman Ab Rahman, "Perspectives On The Use Of Qiyas Between Imam Bukhari And Imam Syafie," *Journal of Fatwa Management and Research* 29, no. 3 (September 30, 2024): 63-79, <https://doi.org/10.33102/jfatwa.vol29no3.612>.

⁵ Aminudin Aminudin, Budi Sastra Panjaitan, and Fauziah Lubis, "Perdebatan Para Mujtahid Tentang Teori Mashlahah Mursalah," *Rechtsnormen Jurnal Komunikasi Dan Informasi Hukum* 2, no. 2 (May 18, 2024): 67-73, <https://doi.org/10.56211/rechtsnormen.v2i2.477>.

⁶ Martina Purna Nisa, "Critical Review of Domestic Violence as Reason for Divorce (Comparison of Divorce Laws in Indonesia, Malaysia and the Maldives)," *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 16, no. 1 (June 22, 2021): 1-26, <https://doi.org/10.19105/al-ihkam.v16i1.4292>.

among the underprivileged community, many women are engaged in two roles at once, where they are no longer only housewives but also as the backbone of the family. This happens when the husband's income as the backbone of the family is no longer enough to meet the increasing economic needs⁷. Among the underprivileged people, they are encouraged to be able to do any job where the job is a job that does not require higher education, certain skills and large capital.

The role of women in the context of the nation and state is not only seen in urban communities, but also in rural communities, and even "rural people have a low educational background, and adhere to a *patriarchal* culture," however, the lack or inadequacy of economic needs greatly triggers every preremputo to be responsive, namely to participate in meeting basic needs⁸. On the other hand, since childhood, women have been accustomed to helping their parents' duties and work. Today, it is known as career women, a new term used to refer to women who work outside the home to earn a living.

Female workers are very helpful in increasing family income such as helping to meet daily living needs, increasing income, savings. Women workers also have an important role in increasing family income⁹. Their income from work is used to buy materials for daily needs. The income will be combined with their husband's income¹⁰. Women who work in the trade sector hope that from this small capital, they can generate a larger income. The profits from the income can be used for family needs.

The family consists of two or more people who have children, including

⁷ Aye Sudarto et al., "The Role of Women in Maintaining Family Income in Islamic Economy and Mubādalāh Review," *Fikri : Jurnal Kajian Agama, Sosial Dan Budaya* 8, no. 2 (December 22, 2023): 162–74, <https://doi.org/10.25217/jf.v8i2.3171>.

⁸ Bina Agarwal, "Livelihoods in COVID Times: Gendered Perils and New Pathways in India," *World Development* 139 (March 2021): 105, <https://doi.org/10.1016/j.worlddev.2020.105312>.

⁹ Hilary Cornish et al., "Women's Economic Empowerment and Health Related Decision-Making in Rural Sierra Leone," *Culture, Health & Sexuality* 23, no. 1 (January 2, 2021): 19–36, <https://doi.org/10.1080/13691058.2019.1683229>.

¹⁰ Natalia Zinovyeva and Maryna Tverdostup, "Gender Identity, Coworking Spouses, and Relative Income within Households," *American Economic Journal: Applied Economics* 13, no. 4 (October 1, 2021): 258–84, <https://doi.org/10.1257/app.20180542>.

the father, mother, and child. In a family, it has its own role, namely the father as the backbone of the family who plays a very core role in the family, namely making a living, protecting the family, the mother as a housewife who manages all the needs in the house and plays a role in helping the economy in the family. Children play a role in pursuing the highest knowledge and helping the work of mothers and fathers and obeying both parents¹¹. However, as the times progressed, women did the work done by men.

It has been previously explained that the obligation to provide maintenance is intended for a husband to his wife and children who live within the scope of his family. In establishing this law, the sharia certainly understands that every man has more abilities than in general. Imam Nawawi said that in the nature of a man there is strength (*quwwah*), perfection of reason, and being able to bear heavy burdens that cannot be carried by women¹².

Seeing the current economic conditions, such as requiring every individual to work hard to meet economic needs, as is the case in the Sambas Morning Market which is quite densely populated and has fierce competition so that what we see is not only adults, especially men making a living, not infrequently women also work to help the family economy, one of the economic activities carried out by women in the Sambas Morning Market is as traders. Factors that influence women's decision to work as small traders at the Sambas Morning Market according to the perspective of Islamic Law states that women who work for a living have a positive impact on increasing their family income, so that they can help meet the family's living needs such as food, clothing, boards, and other tertiary needs.

The following is a previous study that is relevant with the title "Analysis of Maslahah Mursalah on Women Small Traders in Meeting Household Needs

¹¹ Qi Huang, Jin Sun, and Yixuan Tang, "Chinese Parents' Scaffolding and Children's Initiative in Mother-Child and Father-Child Interactions across Different Types of Problem-Solving Activities," *Early Education and Development* 32, no. 2 (February 17, 2021): 249-71, <https://doi.org/10.1080/10409289.2020.1752591>.

¹² Toro Yudistiro and Nur Hadi, "Imam Nawawi's Thought On Teacher Personality Competencies And Their Relevance To National Education Standards," *AL-WIJDÂN Journal of Islamic Education Studies* 8, no. 2 (April 15, 2023): 280-93, <https://doi.org/10.58788/alwijdn.v8i2.2414>.

at Sambas Morning Market, West Kalimantan". These studies include a discussion of women small traders, household economics, and the use of the concept of maslahah mursalah in the study of Islamic law:

The first is *"The Role of Women in Improving the Family Economy Through Micro Businesses"* Author: Megi Tindangen (2020). Results: This study reveals that women, especially those who work as small traders, play an important role in sustaining the family economy. They are able to help meet basic needs to children's education¹³.

Second, *"Hardiness of Women Traders in the Bangkalan Traditional Market"* Author: Nur Istiqomah (2023). Results: This study describes how women traders build survival strategies in market competition, manage the time between trading and housekeeping, and navigate economic challenges¹⁴.

Furthermore, the third is *"The Role of Career Women in Increasing Family Economic Income in Kerinci Regency"* Author: Syafrul Antoni (2022) Results: This article discusses how the maslahah approach can be used to support gender justice in Islam, especially in the economic field. This study is important to provide justification that the role of women in the economic sector can be justified according to sharia if it provides benefits¹⁵. This study provides an overview of social realities that will be very useful in analyzing local contexts such as in the Sambas Morning Market. This study is the basis that women's economic activities are not just additional, but also a form of real contribution to the sustainability of the household.

The main factor behind women's decision to trade is no more because they want to earn additional income. As explained by a small trader woman

¹³ Megi Tindangen et al., "PERAN PEREMPUAN DALAM MENINGKATKAN EKONOMI KELUARGA (STUDI KASUS : PEREMPUAN PEKERJA SAWAH DI DESA LEMOH BARAT KECAMATAN TOMBARIRI TIMUR KABUPATEN MINAHASA).," *Jurnal Berkala Ilmiah Efisiensi* 20, no. 3 (October 12, 2020), <https://ejournal.unsrat.ac.id/v3/index.php/jbie/article/view/30644>.

¹⁴ Nur Istiqomah and Lailatul Muarofah Hanim, "Hardiness Pedagang Wanita Di Pasar Tradisional Bangkalan," *Prosiding Seminar Nasional Psikologi* 9, no. 0 (2023), <https://conference.trunojoyo.ac.id/pub/semapsi/article/view/539>.

¹⁵ Syafrul Antoni et al., "The Role of Career Women in Increasing Family Economic Income in Kerinci Regency," *Lab* 6, no. 1 (June 24, 2022): 57-75, <https://doi.org/10.33507/labatila.v5i02.310>.

named Yuliana from Sungai Pinang Village who sells at the Sambas Morning Market, to improve the family economy, in addition to working, you must also be good at trading. Although many obstacles in trading will not be an obstacle to the improvement of his family's economy. The motivation to gain experience and fill her free time as a housewife is one of the factors that encourages Mrs. Yuliana to trade small businesses. Yuliana is a 37-year-old housewife, has 2 children and her husband works as a factory employee in Malaysia. To improve the family economy, Mrs. Yuliana decided to become a trader of vegetables, spices and salted fish at the Sambas Morning Market, where her trading activities started from 03.00 am to 18.00 pm. Moreover, on certain days, trading activities are carried out for 24 hours. In this case, the researcher also intends to study the contract that often occurs in women's activities as small traders at the Sambas Morning Market.

This study uses a qualitative method with a field research approach. Field research is carried out systematically to collect various data relevant to the problem being studied, with the aim of providing an in-depth picture of the object of research. Pendekatan yang digunakan dalam penelitian ini adalah pendekatan normatif empiris. The empirical normative approach is an approach that examines normatively applicable legal provisions, as well as their empirical implementation in society. In this case, this approach examines how laws and regulations are applied in practice and how they are responded to by the community in their daily lives.

This approach is important to know the extent to which the implementation of legal norms is effective. The implementation of law in the field is an empirical fact that can reflect the success or obstacle in achieving legal goals. The effectiveness of the implementation of the law is highly dependent on the clarity, firmness, and completeness of the formulation of applicable legal norms. This research was carried out at the Sambas Morning Market, which is located in Sambas District, Sambas Regency. The subjects in this study are women who trade at the Sambas Morning Market as well as parties who have knowledge related to the focus of this research.

Maslahah Mursalah's Review of Women as Small Traders at the Sambas Morning Market

Maslahah Mursalah is one of the sources of Islamic law that is used to establish laws on problems that are not explicitly mentioned in the Qur'an or Hadith¹⁶. Terminologically, maslahah mursalah is a benefit that does not have any special evidence that supports or rejects it, but is still taken into account in order to maintain the goals of sharia (*maqashid sharia*)¹⁷.

According to al-Ghazali, maslahah is categorized into three levels: first, *Dharuriyyah*: basic and basic needs, such as maintaining religion, soul, intellect, offspring, and property. Second, *Hajiyyah*: a secondary need that aims to ease the burden and difficulties in life. Third, *Tahsiniyyah*: tertiary needs that perfect the benefits¹⁸.

In the context of women small traders, maslahah mursalah is used to understand the urgency of their work in order to meet the needs of household *dharuriyyah*, especially the family economy¹⁹. In Islam, women have the right to work and play a role in the economic sector as long as it does not contradict the sharia²⁰. The Qur'an states that men and women have the same right to earn income from their businesses

¹⁶ Zarul Arifin and Abdurrahman Raden Aji Haqqi, "Islamic Law: Between Revelation and Human Thoughts," *Jurnal Akidah & Pemikiran Islam* 26, no. 1 (June 30, 2024): 277–306, <https://doi.org/10.22452/afkar.vol26no1.9>.

¹⁷ Moh Usman, "MASLAHAH MURSALAH SEBAGAI METODE ISTINBATH HUKUM PERSPEKTIF AL-THUFI DAN AL-QARADHAWI," *Al-Mashlahah Jurnal Hukum Islam Dan Pranata Sosial* 8, no. 1 (May 26, 2020): 82–98, <https://doi.org/10.30868/AM.V8I1.708>.

¹⁸ Abdussalam and Abdullah Shodiq, "Maqashid As-Syariah Perspektif Imam Al-Ghazali; Studi Literasi Maslahah Mursalah," *Moderasi : Journal of Islamic Studies* 2, no. 2 (December 15, 2022): 139–59, <https://doi.org/10.54471/moderasi.v2i2.32>.

¹⁹ Atika Fitri et al., "Divorce Lawsuit Due to Impotence Perspective Maslahat Theory: Case Study of the Andoolo Religious Court Decision, Southeast Sulawesi," *El-Usrah: Jurnal Hukum Keluarga* 7, no. 1 (July 1, 2024): 220, <https://doi.org/10.22373/ujhk.v7i1.21860>.

²⁰ Dede Hafirman Said, "PERAN ISTRI DALAM MEMBANGUN EKONOMI KELUARGA MENURUT PERSPEKTIF HUKUM ISLAM DI KECAMATAN PANYABUNGAN KOTA," *AT-TAWASSUTH: Jurnal Ekonomi Islam* 5, no. 2 (August 1, 2020): 268, <https://doi.org/10.30829/ajei.v5i2.8092>.

(QS. An-Nisa: 32)²¹.

Women as small traders are a form of active participation in the family and community economy. Islam does not prohibit women from trading as long as they maintain ethics, honor, and household responsibilities²². Household economics is an economic activity carried out within the family to meet daily needs, such as food, education, health, and housing²³. In many families, the role of women is crucial as a complement or even an economic backbone.

Women small traders at the morning market contribute to meeting these needs by working independently. This economic activity is part of the family's economic survival strategy amid limited access and formal job opportunities²⁴. Traditional markets such as the Sambas Morning Market are the center of people's economic activities which is also a space for women to make a living. In the context of gender, the market provides a relatively inclusive space for women, especially those who do not have formal education or skills²⁵.

In the market, women often play the role of sellers of vegetables, food, or other household necessities. This activity, although informal, still contributes significantly to the economic resilience of families. Maqashid sharia or the purpose of Islamic sharia emphasizes the

²¹ Ainun Dwi Hamdani and Aisyah Arsyad, "KETERLIBATAN PEREMPUAN DALAM NAFKAH KELUARGA PERSPEKTIF AL-QUR'AN," *JURNAL SIPAKALEBBI* 6, no. 1 (June 30, 2022): 52–64, <https://doi.org/10.24252/sipakalebbs.v6i1.25666>.

²² Iskandar Budiman, "The Islamic Perspective on The Improvement of Family Economy in The New Normal," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 5, no. 1 (June 30, 2021): 252, <https://doi.org/10.22373/sjhk.v5i1.8389>.

²³ Gatot Anang Marsudi, Kusuma Wulandari, and Wahyuni Mayangsari, "The Dual Role of Wives in Improving the Family Economy (Descriptive Study of Women Workers on Laying Hen Farms in Kandungan Village, Serengat District, Blitar Regency)," *Journal of Women and Family* 4, no. 1 (July 13, 2023): 55–66, <https://doi.org/10.22146/jwk.7497>.

²⁴ Yelly Zamaya et al., "Life Survival Strategy Perempuan Rumah Tangga Miskin Desa Logas Kabupaten Kuantan Singingi," *JEPP: Jurnal Ekonomi Pembangunan Dan Pariwisata* 3, no. 1 (May 8, 2023): 13–24, <https://doi.org/10.52300/jep.v3i1.7703>.

²⁵ Muhkamat Anwar, "Green Economy Sebagai Strategi Dalam Menangani Masalah Ekonomi Dan Multilateral," *Jurnal Pajak Dan Keuangan Negara (PKN)* 4, no. 1S (December 17, 2022): 343–56, <https://doi.org/10.31092/jpkn.v4i1S.1905>.

importance of maintaining five main things: religion (*din*), soul (*nafs*), intellect (*'aql*), heredity (*nasl*), and property (*mal*)²⁶. Women's activities as small traders can be categorized as an effort to protect the family's property and soul. Therefore, from the point of view of maqashid, their actions can be considered as a form of fulfilling legitimate needs within the framework of sharia.

The women at the Sambas Morning Market play a role in helping the family economy by opening small business stalls that sell various kinds of vegetables, fruits, cooking spices, ready-made side dishes and various others. These housewives consider that they can ease the burden of their husbands in supporting the economic burden through trading without abandoning their obligations as housekeepers. Women as housewives must be able to divide time for their children and families²⁷. Women are required to continue to take care of the household, pay attention to children's education, and also help the family economy²⁸. They do this to achieve a prosperous and prosperous family so that their daily needs can be met.

Thus, housewives are able to take advantage of these business opportunities so that they can be used as the main job of housewives. With these business opportunities, it is hoped that it will improve the family's economic conditions in order to achieve a prosperous family and meet the needs of children in higher education²⁹. These women

²⁶ Nirwan Nazaruddin and Farhan Kamilullah, "MAQASHID AS-SYARIAH TERHADAP HUKUM ISLAM MENURUT IMAM AS-SYATIBI DALAM AL-MUWAFAT," *Jurnal Asy-Syukriyyah* 21, no. 1 (June 9, 2020): 106–23, <https://doi.org/10.36769/asy.v21i1.101>.

²⁷ Arif Zunaidi and Facrial Lailatul Maghfiroh, "The Role Of Women In Improving The Family Economy," *Dinar : Jurnal Ekonomi Dan Keuangan Islam* 8, no. 1 (August 3, 2021): 61–79, <https://doi.org/10.21107/dinar.v8i1.10581>.

²⁸ Chiara Mussida and Raffaella Patimo, "Women's Family Care Responsibilities, Employment and Health: A Tale of Two Countries," *Journal of Family and Economic Issues* 42, no. 3 (September 11, 2021): 489–507, <https://doi.org/10.1007/s10834-020-09742-4>.

²⁹ Raudhatul Jannah and Rahmanita Ginting, "Career Women's Communication Patterns in Maintaining Family Harmony in The Office of The Ministry of Religion Medan City," *PERSPEKTIF* 12, no. 2 (April 18, 2023): 405–12, <https://doi.org/10.31289/perspektif.v12i2.8315>.

small traders also work in accordance with Islamic law, namely women trade with halal types of goods such as staple foods, use clothes that cover the awrah, do not perform khalwat between men and women, do not show off their jewelry, do not neglect their main obligations in the household, are safe from slander, get permission from their husbands³⁰.

In this case, women can also be the fulfillment of the staples of the public. In terms of customer satisfaction, they also take care of it as best as possible. Their activities are practical activities of buying and selling goods which always prioritize contracts based on agreements between sellers and buyers. As long as the trader and the buyer both feel profitable, there is also a *murabahah* contract which means prioritizing the agreement and the profit is shared (*margin*) between the trader and the buyer³¹.

For stalls where women sell, they still have to pay rent every month even though their monthly income is not always fixed, but it is enough not burdensome for women to continue selling at the Sambas Morning Market. The monthly rent payment for table-shaped stalls is Rp. 150,000 to Rp. 260,000 per month. Not including admin and electricity fees. Renting a place to get revenue or benefits from the object being rented is an *ijarah contract* (rent-lease contract).

Maslahah means an action that promotes the good of human beings or a general meaning is anything that is beneficial to human beings either in the sense of attracting or producing profits or pleasures or in other meanings rejecting or avoiding such as rejecting harm or damage. There are three forms of *maslahah* are *maslahah daruriyat*, what is meant by *maslahah daruriyat* is *the benefit* that is the basis for the

³⁰ Reazul Islam and Rubi Ahmad, "Muḍārabah and Mushārah as Micro-Equity Finance: Perception of Selangor's Disadvantaged Women Entrepreneurs," *ISRA International Journal of Islamic Finance* 12, no. 2 (July 31, 2020): 217–37, <https://doi.org/10.1108/IJIF-04-2018-0041>.

³¹ Abdulwahid Hassan, "The Challenges and Prospects of Islamic Finance in Australia: A Case Study of Murabaha Contract," *Historical* 20, no. 1 (2020): 234, <http://vuir.vu.edu.au/>.

upright of human life both related to religion and the world³². If these rules are passed away in human life, it will result in the destruction of the order of human life itself. There are two efforts to realize this *maslahah daruriyat*. First, be active in doing everything that can support the realization of *maslahah*. Second, we must passively abandon everything that can interfere with the realization of *maslahah*. *Maslahah hajiyat* is a benefit that requires things that are necessary from the side to eliminate narrowness, distress, and burden. *Maslahah tahsiniyyah* is a *maslahat* that is good, taking something that is in accordance with the goodness of habits and taking away circumstances that can pollute common sense and good things³³.

At the time the researcher conducted an interview with a woman small trader at the Sambas Morning Market, it was already included in the criteria for meeting the needs of *dharuriyat*, *hajiyat*, and *tahsiniyat*. The following can be seen in the criteria for three forms of *maslahah mursalah* according to the researcher's analysis, namely:

- a. *Maslahah dharuriyat* is the enforcement of the benefits of religion and the world, meaning that when *the dharuriyat* is lost, the benefits of the world and even the hereafter will also disappear. And what will appear is precisely the destruction and destruction of life. *Dharuriyat* is a basic need or referred to as a primary need that must always exist in human life. Where *dharuriyat* is divided into five points, namely religion, soul, intellect, heredity and property. Where the women traders already have a place to live (house) and the needs for life have also been fulfilled such as clothes, and the house that is currently occupied with the family

³² Muhammad Harfin Zuhdi and Mohamad Abdun Nasir, "Al-Mashlahah and Reinterpretation of Islamic Law in Contemporary Context," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 8, no. 3 (October 17, 2024): 18, <https://doi.org/10.22373/sjhk.v8i3.24918>.

³³ Faiqotul Himmah Zahroh, "Pandangan Maqasid Al-Syari'ah (Hukum Islam) Perspektif Al-Syatibi Dan Jasser Auda," *Al-I'jaz : Jurnal Studi Al-Qur'an, Falsafah Dan Keislaman* 3, no. 1 (June 14, 2021): 19–30, <https://doi.org/10.53563/AI.V3I1.46>.

is a house that is built slowly.

- b. *Maslahah hajiyyat* is also interpreted as a situation where if a need can be met, it will be able to add value to human life. At the time the researcher conducted interviews with women as small traders where the average said that the needs they have are sufficient and women as small traders with the aim of additionally meeting needs such as savings for Umrah to the Holy Land of Makkah and the cost of college children in the future.
- c. *Maslahah tahsiniyat* can also be recognized by tertiary needs, or identical to needs that are close to luxury. When the researcher conducted an interview with the women small traders at the Sambas Morning Market, they were not looking for luxury, they were working to meet their daily needs so that their lives would continue.

According to the researcher, based on the results of interviews with women who are small traders at the Sambas Morning Market, they only help their husbands in meeting their daily needs. There are also those who intend to carry out Umrah in the Holy Land of Makkah. It is a good thing and does not give rise to *mudharat*. And from some women said that their safety and security were guaranteed when carrying out the activity. Moreover, trading activities on average receive full support from the husbands of these women. If there are other factors of women who trade such as it can cause slander, damage or other unwanted things, as long as the benefits are also prohibited. However, that did not happen to women who traded at the Sambas Morning Market. They can be the fulfillment of the daily needs of the surrounding community and even from other village communities.

The practice of buying and selling carried out by women at the Sambas Morning Market also prioritizes mutual agreements. Where this contract is known in Islam is the *murabahah contract*. For example, in terms of price reductions or rounding of scales that are often done by women small traders to get satisfaction from customers. That means

that the profits obtained by traders and the satisfaction received by customers are balanced. There is no element of compulsion or unwillingness when buying and selling activities at the Sambas Morning Market. All women who are traders are friendly with smiles and polite in greeting. Moreover, the women in the market also often sell goods to mobile sellers who use motorcycles in terms of trade.

From the results of the interview, this woman as a small trader at the Sambas Morning Market also does not neglect her main obligation as a wife as well as a housewife, because basically the family is still made the top priority by these women traders, these women still balance between family guidance and work guidance. This concept teaches that men and women are equal in all aspects without distinction³⁴. The goal of this small trader woman at the Sambas Morning Market is to achieve *falah* (Welfare). They work to help ease the burden on the family that was previously only borne by the husband who may not be enough for the needs. But with the participation of women in earning a living, the economic crisis can at least be improved. Which foundation they work on to achieve the benefit of the family.

The factors behind women becoming small traders at the Sambas Morning Market.

Trading activities at the Sambas Morning Market from time to time are still a favorite of housewives in supplying basic necessities at home and business. Moreover, the market always provides fairly complete foodstuffs from staple vegetables, fruits, spices, fish, shrimp and other ingredients. Every 6 to 7 a.m., the Sambas Morning Market becomes the most populated location point in Sambas District. Based on data from the Jagur Village Government archives, the number of traders who have business licenses is 68 people, including 40 male traders and 28 female traders.

³⁴ Mohamed Sulthan Ismiya Begum et al., "Gender Equity in Muslim Family Law: Modern and Contemporary 'Ulamā's View," *Al-Ahkam* 34, no. 2 (October 31, 2024): 221–56, <https://doi.org/10.21580/AHKAM.2024.34.2.20773>.

Not more than that, small traders who open stalls on the side of the road and stalls can be seen that those who trade are not only men but many women who participate in trading. Even if you browse the inner Sambas Morning Market, there are so many women/women who open trade stalls that sell various basic necessities. No wonder the goods sold are quite cheap accompanied by friendliness when welcoming buyers. Various factors behind women becoming small traders at the Sambas Morning Market, one of which is inseparable from family economic problems.

From the results of interviews conducted by researchers, the average woman who trades in the market has a husband who works as a private employee. Of course, it may not necessarily be able to meet the daily needs of the family. There are even small merchant women who are the main backbone of the family because their husbands have passed away³⁵. As experienced by Mrs. Kartini, a housewife who has 2 children. Mrs. Kristina opened a small trade by selling seasonings for finished dishes, vegetables, tempeh and others. Trading at the Pagi Sambas market has been done for approximately 10 years until now he has a grandson. Her husband passed away, making the main factor that Mrs. Kartini had to be the main breadwinner in the family and was helped by her 2 children where her first child was married and had a child. Kartini hope from trading in the future is to be able to perform Umrah in the Holy Land of Makkah³⁶.

The factor besides generating income is because of continuing from the trading of parents as expressed by Mrs. Indi that deciding to trade in the Morning Market is starting from following her parents and having the desire to have her own money. Mrs. Indi husband works as a private person and fully supports her activities and previously also

³⁵ Siti Mahmudah et al., "Job Stress, Role Expectation Conflict, Co-Worker Support, and Work-Life Balance among Muslimah Scholars: A Study in the Indonesian Historical Women Political Movement Members," *Islamic Guidance and Counseling Journal* 5, no. 2 (December 27, 2022): 172–84, <https://doi.org/10.25217/igcj.v5i2.3000>.

³⁶ Interview, Kartini as a Small Trader at Sambas Morning Market, January 28, 2025.

trades at the Sambas Morning Market with her. But now Mrs. Indi husband no longer trades but is helping her son in taking care of his online business³⁷.

There is also another opinion from Mrs. Nuraini who has the background to become a small trader at the Sambas Morning Market, namely her hobby of trading and talent in communication with people that researchers can see when conducting interviews. Moreover, Mrs. Nuraini husband is very supportive of her work. Mrs. Nuraini advantage in these 3 years can build a house if added to the income of her husband who works as an expedition truck driver³⁸.

In 2024, when at the beginning of the coronavirus season, a female small trader at the Sambas Morning Market, namely Mrs. Lia, was told that her husband was working in Malaysia and was returned back to Indonesia due to the coronavirus outbreak which made Indonesia citizens unable to work in neighboring countries. So, that is the factor that prompted Mrs. Lia and her husband to open two stalls at the Sambas Morning Market³⁹.

Various trading strategies carried out by women at the Sambas Morning Market are also interesting things for buyers to experience. The enthusiasm that can be seen from the soul of women in helping their husbands to provide for their families does not always decrease, although sometimes capital is the main obstacle in carrying out their work. Not only that, their safety and security are also important even if they feel safe.

According to researchers, these various factors greatly influence why women want to trade. Moreover, when data was obtained when interviewed, they on average had husbands who worked as private employees, and some even had their husbands who had died. The family atmosphere in the trading place is also very high and there is good

³⁷ Interview, Indi as a Small Trader at Sambas Morning Market, January 28, 2025.

³⁸ Interview, Nuraini as a Small Peang at Sambas Morning Market, January 28, 2025.

³⁹ Interview, Lia as a Small Trader at Sambas Morning Market, January 29, 2025.

cooperation between women small traders. As long as there is no purpose other than earning income, the activities carried out by these women are a form of struggle in maintaining family life and improving their generation by being able to send their children to school with the proceeds of trading.

In the context of the life of the Sambas community, especially in the Pasar Pagi environment, the role of women as small traders is one of the interesting social phenomena to be analyzed from the perspective of Islamic law, especially with the *maslahah mursalah* approach. *Maslahah mursalah* is a benefit that does not have specific evidence in the Qur'an or hadith, but does not contradict the general principles of sharia and supports the achievement of sharia *maqashid* (Islamic legal goals).

The majority of women small traders in Sambas Morning Market run their businesses not solely because of personal desires, but driven by family economic needs. Many of them become the backbone of the family because of their husband's limited income, or because they have to support their own children. They trade from the early hours of the morning, offering various types of merchandise such as vegetables, snacks, garden products, to daily household needs.

In the perspective of *maslahah mursalah*, the economic activities carried out by these women can be categorized as an effort to meet the needs of *dharuriyah* (basic needs) in *maqashid sharia*. These basic needs include five main aspects, namely:

Maintaining religion (*hifz al-din*): Even though they are busy trading, the women traders still carry out worship obligations such as praying five times. In practice, they seek to strike a balance between economic activity and spiritual obligations, which indicates an effort to maintain religious values.

Preserving the soul (*hifz al-nafs*): The business of trading is a means to sustain life. By trading, they can meet basic needs such as food, shelter, and health expenses, so that family life can still run smoothly.

Maintaining reason (*hifz al-'aql*): Many of their business proceeds are used to finance children's education. This is a tangible form of efforts to maintain and develop the intellect of the next generation so that they do not fall into ignorance.

Safeguarding offspring (*hifz al-nasl*): Income from trading business is used to care for and educate children to grow physically and mentally healthy. Women traders play a central role in ensuring the welfare of their families.

Safeguarding property (*hifz al-mal*): Trading activities are carried out halally, through effort and hard work, and become the main source of family income that is used wisely.

In the review of maslahah mursalah, there were no elements that were contrary to sharia in the economic activities of these women. In fact, their contribution is one of the tangible forms of the implementation of the principle of benefit, where they not only meet personal needs, but also maintain the sustainability of the family and social life around them.

However, women small traders also face various challenges. Starting from limited capital, the dual workload between trading and taking care of households, to the lack of access to training facilities and business assistance from the government. Even so, their fighting spirit and perseverance reflect sharia values such as patience, tawakal, endeavor, and istiqamah, which further strengthens that their activities are loaded with beneficial values.

Thus, it can be concluded that the activities of women small traders at the Sambas Morning Market are a tangible form of the application of maslahah mursalah in daily life. They actively and productively meet the needs of households in ways that do not conflict with sharia, and even support the upholding of sharia maqashid values in modern contexts and local realities.

Conclusion

Based on the results of research conducted on women small traders

at Sambas Morning Market, West Kalimantan, it can be concluded that their activities in trading are a form of economic contribution that is very important in meeting household needs. Women's involvement in the informal sector is triggered by the urgent economic needs of families, such as food needs, children's education, health, and other basic needs.

From the perspective of *maslahah mursalah*, this activity is included in the form of benefits that do not contradict Islamic law and do not have special evidence that prohibits it. In fact, this activity brings great benefits, both individually and socially, because it supports the fulfillment of basic family needs, encourages women's economic independence, and strengthens the social structure of society.

Women's trading activities at the Sambas Morning Market also continue to pay attention to Islamic values such as maintaining ethics in trading, dressing according to sharia, and dividing time between work and household responsibilities. Thus, it can be said that their involvement in economic activities is a form of actualization of the values of *maslahah mursalah* which are oriented towards the benefit of the *ummah*, especially in the context of the family's economic needs.

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Interview

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