

Welfare-Based Natural Resource Policy in the Land Sector: Maqasid Asy-Syari'ah Perspective.

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Abstract: The Republic of Indonesia's 1945 Constitution Article 28 H clause (4) states that every citizen has the right for personal ownership. This right for ownership cannot be taken over arbitrarily by anyone, including in the case of land ownership. This research aims: (1) to describe the natural resource policy of the land sector using the Maqasid Asy-Syari'ah perspective; (2) to describe the welfare-based natural resource policy of the land sector. This research uses the normative legal method and it is carried out through literature review or the analysis of secondary data using the statute approach and the Maqasid Asy-Syari'ah concept approach. The National Land Agency currently applies the Complete Systematic Land Registration (CSLR) program as an effort to implement the maqashid syariah, namely the maintenance of wealth assets (hifdz al-mal). Substantially, this has an important position in Islam, as the Indonesian government's CSLR program in the land policy is actually a demand of the Islamic teachings. Because of that, the welfare-based natural resource policy of the land sector in the case of maintaining land assets through the Maqasid Asy-Syari'ah perspective becomes a way for the government to guarantee welfare, as welfare is an essential part of the Islamic teachings, which is kemaslahatan or benefit.

Keywords: The Republic of Indonesia, personal ownership, Maqasid Asy- Syari'ah concept