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**THE CONCEPT OF HONORARIUM FOR HONORARY EDUCATORS
ACCORDING TO ISLAMIC LAW.**

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ABSTRACT :

This thesis research is motivated by the existence of various problems in the world of education, especially in terms of honorarium for educators who are not civil servants. There is no specific regulation regarding the standards for awarding honorariums which causes the awards to vary according to the capabilities of the school so that the welfare of the teaching staff is considered unsatisfactory.

The research focus in this research includes: (1) How is the Honorarium System for Honorary Educators at YPI Darul Huda Sumber Pojok Ngantru Tulungagung? (2) what is the policy of the local government in supervising the honorarium system for teaching staff? (3) What is the Conformity of the Honorarium with the Performance of Honorary Educators Based on Maqashid Syariah Fii Muamalah? The objectives of this research are: 1). To find out the the Honorarium System for Honorary Educators at YPI Darul Huda Sumber Pojok Ngantru Tulungagung; 2). To find out the local government's policy in supervising the honorarium system for Honorary Educators at YPI Darul Huda Sumber Pojok Ngantru Tulungagung; 3). To find out Honorarium Compatibility with Honorary Educator Performance Based on Maqashid Syariah Fii Muamalah. This type of research is empirical juridical, with a sociological approach. The nature of this research is analytical descriptive, namely examining primary data and complemented by secondary data.

From the results of this reearch, the authors concluded that: (1). The honorarium system for teaching staff at YPI Darul Huda Sumber Pojok uses 2 systems, namely the time system and the fixed honorarium system. The existence of a written agreement is in accordance with Islamic law because there is a contract in muamalah. (2) the government's policy in supervising the honorarium of teaching staff includes trying to provide various incentives including BSU, GBNS, Performance Allowances and others. (3). In practice at YPI Darul Huda Sumber Tulungagung that khuliyat al khamsah (*Hifdz Diin, Hifdz Nafs, Hifdz Aql, Hifdz Nasl, Hifdz Maal*) which exist in maqashid syariah have all been realized properly in accordance with field conditions except 1, namely in the matter of *hifdz Maall* is property keeper.

Key words: *Honorarium, Educators, Maqashid Syariah.*

INTRODUCTION

Nowadays the issue of workers' rights is a problem often appear and are common in the world of employment. These issues include the right to be treated well in work environment, the right to social security, and the right to wages. Emergence This problem cannot be separated from

employers, although not all of them do there is a lot of inequality, such as treatment that is not worthy, yet calculating wages with sweat expended as in hadith which reads.

Meaning: *From ibn Umar, he said: Rasulullah SAW said, "Give the worker his wages before his sweat dries up."* (HR Ibn Majah).

It has been seen that in the above hadith that in payment of wages or honorarium is ordered as soon as possible giving it, like a parable before the sweat dries. Even though the Hadith has mentioned it, it does not provide it in detail regarding the issue of the amount of the honorarium. Teacher or also It can be said that teaching staff is a profession where a person teachers teach knowledge, both religious knowledge and science, to students his student. Teachers have a big role in developing potential students or students. So it could be said that one of the factors influence the potential or knowledge gained will be influenced by teacher or educational staff. According to the National Education System, educators are energy educational staff who are qualified as teachers, lecturers, tutors, widyaiswara, tutor, instructor, facilitator and other appropriate titles with its specialties, as well as participating in organizing education.⁴

Islam is a religion that is *Rahmatal lil 'Alaminn*, namely mercy for all nature. In Islam there are many legal sources that can be used as guidance in determining all decisions both in terms of worship and muamalah. The aspect of worship is the rules relating a servant to God or can be called *hablu minalloh* regarding the procedures for worship, while muamalah is the rule or law relating to the relationship between humans and fellow humans (*hablu min naas*). The original point of worship is something that cannot be done except on orders from Allah, while the original principle of muammalah is something that can be done because it contains goodness and benefit for the people as long as it is not something that is forbidden by Allah.

Muamalah can change according to developments over time as long as there is no argument that prohibits it. This is because the issue of muamalah is an issue that is influenced by the level of need and knowledge in accordance with the dynamics of the increasingly developing times. It can be said that because today's human needs are certainly very different from the needs in the time of the Prophet, therefore regulations or laws are needed that relate to new problems with various methods of adopting Islamic law, while maintaining the Al-Qur'an as the first source of law. .

It can no longer be denied that as humans we want all our needs to be met because basically humans will never be satisfied with what they have. Therefore, to fulfill both primary and secondary needs, humans work to earn a wage. Work is an effort to do work and then get rewards

⁴ PP Nomor 74 Tahun 2008 tentang Guru.

for the work done. Wages are a right for every human being who works to fulfill economic needs which must not be ignored and is an obligation for employers. Wages according to Islamic law are called Ijarah.

Ijarah is one form of development part of muamalah. Ijarah is a form of fi'il, namely "*ajara-ya'juru-ajran*". "*Ajran*" is the same as "*al-'iwad*" which means compensation or wages. Payment of wages in Islam provides a way to be paid appropriately and well. To earn wages, a person must work. In Islam, a person has the right to choose a job according to what they are interested in as long as it is not a job that has been prohibited by Allah SWT. This is in line with a quote from the book *Fiqh Muamalat* by Prof. Abdul Rahman Ghazali et al., in Islam there are no limits for a person to seek or obtain wealth as long as they do good and halal work.⁵

A teacher or also known as an educator is a profession where a teacher teaches knowledge, both religious and scientific, to his students. Teachers have a big role in developing the potential of students or students in an effort to make the life of the nation intelligent. This means that one of the factors that influences the potential or knowledge gained will be influenced by the teaching staff. Making the nation's life intelligent is one of Indonesia's ideals. To realize these ideals, efforts are made to maximize the provision of education. In education there are educators, students and learning. According to the National Education System, someone who participates in providing education, be it a lecturer, teacher, tutor or other designation according to their respective qualifications, can be said to be an educator. This understanding is in line with PP number 74 of 2008 which states that "teachers are professional educators with the main task of educating, teaching, guiding, directing, training, assessing and evaluating students in early childhood education, formal education, basic education and secondary education."⁶

There are often problems related to teaching staff, namely that sometimes there is minimal honorarium for teaching staff, let alone honorary teaching staff, so that their living costs are very limited. In the book entitled *Ta'lim Muta'allim* by Sheikh AzZarnuji, in the chapter on respecting teachers, there is a poem that reads:

"It means: for the sake of glorifying the teacher, a prize is entitled to be given for teaching one letter worth one thousand dirhams."⁷

From the maqolah above it can be understood that providing welfare for people who teach knowledge is very important so that just one letter can be rewarded with 1000 dirhams. However,

⁵ Abdu Rahman Ghazali, "*Fiqh Muamalat*" (Jakarta: Kencana Media Group, 2010), 25.

⁶ Government Regulation Number 74 of 2008 concerning Teachers.

⁷ Abdul Kadir Aljufri, Translation of *Ta'lim Muta'allim* (Surabaya: Mutiara Imu, 2009), 28.

nowadays many people ignore it, especially during the COVID-19 pandemic, there are many monetary crises among student parents. Parents often ignore school payments because some think that students are not attending class and teachers have reduced teaching loads, there are others whose heads of household have been laid off so many of them are asking for payment relief. Based on the various economic problems above, it is very urgent to research the honorarium system for honorary teaching staff so that we can find out how the honorarium for honorary teaching staff is seen from the perspective of Islamic law. In this research, the researcher limited the research to honorary teaching staff at the Darul Huda Islamic education foundation in the corner of Tulungagung.

Methods

In this research method, the researcher took qualitative empirical legal research in which the data collection techniques used were observation, general interviews with teaching staff and library research with references drawn from books and scientific articles related to the theme. Qualitative research in this study is used as a procedure for producing descriptive data in the form of a person's words and utterances as well as observable behavior.⁸

In this case, seeing that there are no specific regulations regarding standards for awarding honoraria for honorary teaching staff and foundations, it will be studied using the concept of maqashid sharia. This research will later produce descriptive data, meaning the method used. This research is to describe all data or conditions of subjects and objects (honorary teaching staff honorarium system and GTT (Permanent Teacher Foundation) in YPI Darul Huda Tulungagung) then analysis and comparison are carried out based on maqahid sharia and current conditions and then identification is carried out to determine solutions to problems and can provide reliable information so that benefits are created for the development of science so that it can be applied to various problems. In general, descriptive research is a research activity that will create a picture and try to observe an event or symptom systematically, based on facts with accurate settings.⁹

Result

After the research data has been presented, the next step is to convey the research findings obtained by the researcher from the research results related to the subject of discussion. The facts that researchers found are. Based on the description above in the previous chapter, the following conclusions can be drawn from this research:

- 1 The honorary system for teaching staff at YPI Darul Huda Sumber Pojok uses a time system at the MI and RA levels. Meanwhile, the family planning level uses a fixed system. The

⁸ Lexy J. Moeleong, *Qualitative Research Methodology*, (PT Pemuda Rosdakarya: Bandung, 2010), p. 3.

⁹ Supardi, *Metodologi Penelitian Ekonomi dan Bisnis*, (UII Press: Yogyakarta, 2005), p., 28

existence of a written agreement is in accordance with Islamic law because there is a contract in muamalah. The source of funds for honorarium funding comes from BOS and SPP funds at the RA and KB levels.

- 2 Regional government policy in monitoring the honorarium of teaching staff, apart from providing boss funds, is by providing incentives and allowances such as Incentive Assistance from BAZNAS for non-PNS teaching staff, Assistance that is under the auspices of the Ministry of Religion (registered in Sympathy): such as, GBPNS Incentives (Teachers Are Not Civil Servants Civil), BPPDGS (Assistance for Providing Early Education and Private Teachers), BSU (Wage Subsidy Assistance), Assistance under the auspices of the education office (registered in Dapodik): BSU, Incentives for non-PNS PAUD educators and teachers, Performance Allowance Incentives, BLT for early childhood teachers from the Village Government APBDes.
- 3 Compatibility of Honorarium with the performance of Educators at YPI Darul Huda Sumber Pojok Ngantru Tulungagung from Maqashid Syariah perspective. In practice at YPI Darul Huda Sumber Tulungagung, the khuliyat al khamsah contained in the maqashid sharia have all been well realized in accordance with the conditions in the field except 1, namely in the matter of hifdz maall, namely safeguarding assets. According to field observations, the workload is more or less the same as non-PNS teaching staff. But the nominal amount obtained is still far from the same. In practice, at YPI Darul Huda, to avoid being too biased, several allowances and assistance are provided from teaching staff who have civil servant status and certification. Then a school canteen was established so that security was created in terms of assets.

Discussion

A. Honorarium System for Honorary Educators at YPI Darul Huda Sumber Pojok Ngantru Tulungagung.

Honorarium merupakan suatu pembayaran yang harus dibayarkan oleh pemberi kerja Honorarium is a payment that must be paid by the employer to people who have done work. Honorarium has various terms, including wages, salaries, *bisyaroh* and in *muammalah* it is usually known as Ujrah. Talking about honorarium does not involve the term compensation. Heathfield said in the office management journal that:

“compensation is a fixed amount of money paid to an employee by an employer as compensation for work performed.”¹⁰

¹⁰ Sofi Apriliyani, Rini Intansari Meilani. "a case study on compensation system of contract-based temporary teachers in Indonesia". Journal of Office Management Education. Vol. 6, no. 2, 2021.p.180

From the definition above, a common thread can be drawn that honorarium is also part of compensation. It's just that honorarium is synonymous with nominal money or finances, while compensation is broader. Compensation can be financial or non-financial, such as comfort in the workplace and so on.

Islam teaches not to delay giving wages. If the work done is complete, the wage earner is obliged to hasten to pay it even before the sweat dries. In accordance with Government Regulation number 74 of 2008, teachers or teaching staff are professional educators with the main task of educating, teaching, guiding, directing, training, assessing and evaluating students in early childhood education through formal education, basic education and secondary education.¹¹ Then at YPI Darul Huda Sumber Pojok Ngantru Tulungagung, the payment of honorarium for teaching staff is made at the beginning of every month and is always on time so that there is no delay in giving the honorarium. This is in accordance with the hadith of the Prophet which reads :

Based on the Hadith above, it is explained that the order is to give wages to workers before their sweat dries. The meaning of this hadith is that if you have finished working on a job, it is recommended that you immediately pay your wages according to the agreement. Furthermore, a common thread can be drawn that the implementation of salaries or honorariums for teaching staff in the YPI Darul Huda Sumber Pojok Ngantru Tulungagung environment is in accordance with the sunnah of the Prophet Muhammad SAW, namely by providing honorariums for teaching staff and education staff according to a predetermined time, namely at the beginning of each month.

Then, in determining the honorarium for teaching staff, especially non-PNS, YPI Darul Huda Sumber Pojok Ngantru Tulungagung holds deliberations every semester with madrasa heads and also committees to determine and consider the nominal or amount of honorarium for teaching staff, especially non-PNS teaching staff. This is in accordance

¹¹PP Number 74 of 2008 concerning Teachers.

¹² Sri Nurhayati, Wasila, sharia accounting in Indonesia, (Jagakarsa: Salemba Empat, 2015), p.236

with the proposition of the Qur'an which explains the recommendation for deliberation which reads:

The proposition above explains the command to deliberate well to determine everything. YPI Darul Huda Sumber Pojok Ngantru Tulungagung in this case has held a joint discussion to determine the amount of honorarium and other allowances so that the determination is not random. According to the Head of the Foundation, after reaching a consensus, an Appointment Decree (decree) will be issued and in it there will be a nominal honorarium for both teaching staff and educational staff. Even though there is no contract at the beginning, there is a direct written contract in the SK letter that has been issued.

Determination of wages for workers must reflect justice, and take into account various aspects of life, so that the Islamic view of workers' rights to receive wages is more realized. The honorarium or salary at YPI Darul Huda Sumber Pojok Ngantru Tulungagung at the Madrasah Ibtidaiyyah (MI) and Roudlotul Athfal (RA) levels uses a system based on time or hours. According to Hendi Suhendi in his book *Fiqh Mummalah* states that:

"A time-based wage system is a system that bases wages on the length of time a worker performs work for the employer, which can be calculated per hour, per day, per week or per month."¹⁴

According to the quote above, it can be seen that a time-based wage system is a wage payment model that is based on time or hours worked. In this case, it is in accordance with the honorarium system for teaching staff at YPI Darul Huda Sumber, where in practice the honorarium is based on the number of teaching hours obtained and then multiplied by the agreed nominal value. Rp. 10,000 for Madrasah Ibtidaiyyah (MI) and Rp. 7000 for Roudlotul Athfal (RA) level. So, between teaching staff who have few teaching hours and teaching staff, the honorarium they get is different so that it doesn't create a gap because it is felt to be fair.

¹³Al-Qur'an terjemah. *Departemen Agama RI*.(Bandung: sigma exagrafika,2009

¹⁴Hendi Suhendi, *Fikih Muamalah*, (Jakarta: Rajawali Pers, 2014) p. 117.

Meanwhile, referring to muammalah fiqh, the honorarium or wage system can be divided into two categories, namely Ajru Mitsli and Ajru Musamma.

“Ajru musamma is a salary that has been stated with the condition that both parties agree when it is stated. Included in the wages determined are the wages of the workers who are notified to each of them. Meanwhile, Ajru mitsli means commensurate wages in the sense that wages must be commensurate with what is done and commensurate with the work.”¹⁵

From the quote above, YPI Darul Huda Sumber can be categorized as ajru musamma, where determining the honorarium for teaching staff is done based on an agreement so that each other is satisfied. In contrast to MI and RA Darul Huda, the KB level uses an honorarium system based on a fixed salary. Why is that because KB Darul Huda is a source in practice of teaching staff with the same number and nominal value between one teaching staff and another.

According to the results of observations and interesting threads from interviews, the honorarium system is regulatively taken from BOS (School Operational Assistance) funds in accordance with applicable regulations, namely regarding tennis instructions for the use of BOS funds as follows “used for honorarium for teaching staff is a maximum of 50% (fifty percent) of the total Regular BOS Fund allocation received by the Education Unit.”¹⁶

B. Regional government policy in monitoring the honorarium for non-ASN teaching staff

The low salary for teaching staff is a common problem that cannot be denied. The reason is that teaching staff who have civil servant status still do not meet the needs of teaching staff, so additional teaching staff are needed so that the teaching and learning process can be effective and optimal. The salary or honorarium for teaching staff with non-PNS status, whether GTT (Non-Permanent Teacher) or GTY (Permanent Foundation Teacher), will be borne by the school or foundation according to their capabilities. It is foundations or schools that have a lot of financial income, such as tuition fees, that are able to pay non-PNS educators properly or even have honorariums that exceed PNS educators and this usually happens in developed cities where in fact parents of students have incomes above the minimum wage.

There are no regulations from either the central or regional levels that clearly regulate the honorarium for teaching staff with non-PNS status, either within the Ministry of Education, Culture, Research and Technology (Kemdikbudristek) or the Ministry of Religion

¹⁵Rahmania, Kurnia, Hasbi. "Teacher Payroll Models Based on Islamic Perspectives" *Syarikah Journal*, Vol. 6, no. 2, 2020.p.191

¹⁶Minister of Education and Culture Regulation Number 63 of 2022 article 40

(Ministry of Religion). According to Law No. 14 of 2005 concerning teachers and lecturers, educators have the right to:¹⁷

- a. Obtaining income above minimum living needs and social welfare guarantees,
- b. Get promotions and awards in accordance with duties and work achievements,
- c. Obtain protection in carrying out duties and intellectual property rights,
- d. Obtain opportunities to improve competence,
- e. Obtain and utilize learning facilities and infrastructure to support the smooth running of professional tasks,
- f. Having the freedom to provide assessments and participate in determining graduation, awards, and/or sanctions for students in accordance with educational rules, teacher codes of ethics, and statutory regulations,
- g. Gain a sense of security and guarantee of safety in carrying out tasks,
- h. Have the freedom to associate in professional organizations,
- i. Have the opportunity to play a role in determining educational policy,
- j. Obtain opportunities to develop and improve academic qualifications and competencies: and/or
- k. Obtain training and development. profession in their field.

It is hoped that the implications of the law above will improve teacher welfare so that it can improve the quality of national education. To realize these ideals, the government is also making various efforts, including:

BOS (School Operational Assistance) funds are issued according to the number of students recorded in both SIMPATIKA and Dapodik. So it can be used to pay teachers and educational staff who are not yet civil servants. In accordance with Minister of Education and Culture Regulation Number 63 of 2022 concerning components of using BOS funds which states that one of the components of using BOS funds is honorarium payments.¹⁸ Then proceed to article 40 of Minister of Education and Culture Regulation Number 63 of 2022 which reads:

¹⁷LAW NO.14 OF 2005 CONCERNING TEACHERS AND LECTURERS

¹⁸Minister of Education and Culture Regulation Number 63 of 2022 article 39 letter 1

"Honorary payments as referred to in Article 39 letter l are used at a maximum of 50% (fifty percent) of the total amount of Regular BOS Fund allocation received by the Education Unit."¹⁹

In practice, at YPI Darul Huda Sumber Pojok Ngantru Tulungagung, in particular, the level of funding for honorariums for teaching staff and educational staff comes from BOS funds without any SPP withdrawals. The SPP is not implemented at the Madrasah Ibtidaiyah (MI) level because the majority of the village population has uncertain salaries so they can still get basic education, as was the reason the foundation was founded. Meanwhile, tuition fees are still applied for the Roudlatul Athfal (RA) and play group (KB) levels because the number of students is still small, so the BOS funds that are disbursed are not yet much. So at this level, tuition fees are applied as teacher salaries and then BOS funds can be used for the learning process.

Recently, YPI Darul Huda Sumber Pojok Nantru Tulungagung received a letter proposing incentive assistance from BAZNAS for non-PNS teaching staff. This assistance comes from funds from the National Amil Zakat Agency with a quota of 80 recipients in Tulungagung district. The existence of Incentive Assistance for teaching staff and educational staff is expected to help improve the welfare of teaching and educational staff who are not yet civil servants but do not go beyond the requirements for people who are entitled to zakat funds considering that teaching staff can be categorized as *fiisabilillah*, namely fighting in the way of Allah by teaching goodness in order to avoid prohibitions. God. The basis for the purpose of providing incentive assistance is contained in Law no. 23 of 2011 concerning Zakat Management:

"zakat management aims to increase the benefits of zakat to realize community welfare and reduce poverty"²⁰

It can be seen that in order to improve the quality of education, one of the ways is to improve the welfare of teaching staff, especially those who are not yet civil servants. It can be said that many of them are still far from being worthy. So, BAZNAS helps to realize these ideals by providing incentive assistance for non-PNS teaching and education staff. Furthermore, the incentive assistance that has been obtained is under the auspices of the Ministry of Religion (*simpatika*), namely at the RA and MI levels, such as the GBPNS (Teacher

¹⁹Minister of Education and Culture Regulation Number 63 of 2022 article 40

²⁰Law no. 23 of 2011 concerning. Management of Zakat article 3

Not a Civil Servant) incentive, BPPDGS (Assistance for Providing Early Education and Private Teachers), BSU (Wage Subsidy Assistance). The GBPNS (Non-Civil Servant Teachers) incentive is teacher incentive assistance provided by the Ministry of Religion to lower education unit levels. In practice, there is no specific schedule for disbursement of incentives and not all teaching staff can disburse incentives at the same time, but on a rotating basis.

Then BPPDGS (Assistance for Providing Early Education and Private Teachers) issued by the Tulungagung district government. The source of funds is obtained from the use of grant expenditure funds and social assistance expenditure in the Tulungagung district APBD and is stated in KEPBUP Tulungagung Number 188.45/56/013/2017 concerning the acquisition of BPPDGS in an educational institution within Tulungagung Regency. The hope of the regional government with this assistance is to prevent students from dropping out of school, help students who have difficulty obtaining educational services due to economic conditions and improve the welfare of private teachers.

Then the assistance obtained for teaching staff is BSU (Wage Subsidy Assistance). BSU Ministry of Education and Culture Wage Subsidy Assistance is government assistance in the amount of IDR 1,800,000 which is given once to educators and education personnel (PTK) with non-civil servant (non-PNS) status, including lecturers, teachers, teachers assigned as school principals, PAUD educators, equality educators, library staff, laboratory staff, and administrative staff, in all state and private schools and universities within the Ministry of Education and Culture. BSU was provided to ease the impact of the corona virus on the economy of teaching staff.

Furthermore Educators at YPI Darul Huda Sumber Pojok Ngantru Tulungagung at the KB level have also received incentives in the form of performance allowances. The mechanism for providing these allowances was initially called directly by the sub-district coordinator. Incentive recipients are selected according to their length of teaching and also on a rotating basis. In practice, at YPI Darul Huda Sumber, those who receive incentives also share them with other teaching staff so that everyone can share the incentives they receive.

BLT for PAUD educators (Early Childhood Education) and its equivalent from the Village Government. With this assistance, all PAUD/KB teachers in the Pojok Ngantru Village, Tulungagung, without exception, received invitations to collect them at the village office. APBDes funds can be used for incentives for KB/PAUD educators because it is in accordance with Village Ministerial Regulation Number 8 of 2022 article 6 (2) d. namely about improving

the quality of human resources in village communities, which is further explained in the attachment. What is meant by improving the quality of human resources in village communities is incentive assistance for early childhood education teachers/kindergartens/religious learning parks, children's learning parks, and community learning activity centers;²¹

C. Compatibility of Honorarium with the performance of Educators at YPI Darul Huda Sumber Pojok Ngantru Tulungagung from Maqashid Syariah perspective

The creation of everything by Allah SWT is based on nothing but benefit. Like any event, there must be a purpose and lesson to be learned from each incident. These beneficial objectives in Islamic law are called Maqashid Syariah.

"Maqashid al Syariah according to Syatibi are the objectives of the enactment of law by Allah SWT. The core of which is the benefit of mankind in the world and happiness in the afterlife."²²

Al-Syathibi as the father of maqashid said that the content of maqashid shari'ah is benefit. Benefit here means benefit in all legal aspects. This means that if there is a legal problem that cannot be clearly resolved either in the Qur'an or the Hadith, then the problem can be resolved through an analysis of the content of the maqashid of the shari'ah by looking at the spirit of the shari'ah in the verses or hadith. – existing legal hadith. Quoting from the Journal of Sharia Economics, Mulawarman in the book Muwafaqt written by Al-Syatibi emphasizes that:

"It is known that Islamic law was prescribed or promulgated to realize the absolute benefit of creatures" and in another expression Yusuf Al-Qardhawi also stated "where there is maslahah there is Allah's law".²³

The division of maqashid sharia into three visions includes dlaruriyat, hajjiyah and tahsiniyah. The division of maqashid sharia that is most frequently encountered is the division of the vision of dlaruriyah which is further divided into five or, khuliyat al khamsah, then what is meant by maqashid sharia is the protection of religion (ad diin), the protection of the soul (an nafs), the protection of reason (al aql), Protection of Offspring (an nasl), and Protection of Property (al maal).

Hifdz diin the meaning is protecting religion from those who pollute it and maintaining the pillars of Islam. According to data obtained by the author from YPI Darul Huda, with the

²¹Attachment to Village Ministerial Decree Number 8 of 2022

²²Ahmad Imam Mawardi, *Minority Fiqh al-Aqlliyyat and the Evolution of Maqashid al-Syari'ah from Concept to Approach*, (Yogyakarta: LkiS, 2010), p. 179

²³Asmaul Husna, Sri Wahyuni. "Analysis of the Welfare of Teachers and Education Personnel at Muhammadiyah Middle School 5 at the Istiqamah Samarinda Islamic Boarding School from a Maqashid Syariah Perspective". *Mulawarman Sharia Economics*. Vol. 2.No. 1, 2023. p.39

obligation to pray Dhuha and Dhuhur prayers at the foundation mosque, teaching staff are required to set an example for congregational prayers. In this way, indirectly the religious teaching staff is maintained.

Hifdz al – nafs This means protecting the right to life of every individual and society collectively as well as all things that can threaten life. By teaching at YPI Darul Huda Sumber, teaching staff can channel and utilize the knowledge they gain so as to bring blessings in life, making their hearts and lives peaceful.

Hifdz al – aql This means preventing defects in the mind that can interfere with thinking and creativity. Increasing self-competence as a form of non-financial compensation for teaching staff at YPI Darul Huda, such as attending training, seminars and workshops, is expected to broaden horizons and empower the mind as well as increase the professionalism and position of teaching staff, especially at YPI Darul Huda Sumber Pojok Ngantru Tulungagung. This is in line with Law No. 14 of 2005 letters o, u and v concerning teachers and lecturers which states that educators have the right to: o). Obtain opportunities to improve competence, u). Obtain opportunities to develop and improve academic qualifications and competencies: and / or, v). Obtain training and development. profession in their field.²⁴In this way, the fulfillment of Law No. 14 of 2005 indirectly ensures that reason continues to develop.

Hifdz al – nashl meaning preserving the continuity of generations by making the marriage process easier, avoiding any policies that could end the continuity of life. The results of the author's observations at YPI Darul Huda Sumber Pojok Ngantru Tulungagung are that there are no rules for both teaching and educational staff regarding the prohibition of getting married either during their tenure or within a certain time so that the continuity of offspring is maintained. Then, if there are teaching staff or teaching families who are sick and want to ask for permission and honorarium more quickly, the foundation can allow it without any complications.

Hifdzul mal This means developing the people's economic resources, guaranteeing private property rights and safeguarding the security of these assets.²⁵In practice, at YPI Darul Huda, the workload is more or less the same as non-PNS teaching staff, while the amount obtained is still far from the same. So at YPI Darul Huda Sumber Pojok Ngantru Tulungagung, they provide a solution so that things don't become too one-sided, they provide several allowances and assistance from teaching staff who already have civil servant status and certification as well

²⁴LAW NO.14 OF 2005 CONCERNING TEACHERS AND LECTURERS

²⁵Ismail Al-Hasani, Nadriyyah al-Maqashid Inda al-Imam Muhammad ath-Tahir bin Asyur, (Cairo: IIIT, 1995), p. 237.

as opening a school canteen to support the economy for both teaching and educational staff who want to sell without having to confused about place and time.

Based on the results of research at YPI Darul Huda Sumber Tulungagung, the khuliyat al khamsah in maqashid sharia have all been well realized in accordance with the conditions in the field except 1, namely in the matter of hifdz maall, namely the protection of assets. Why is that, because it is common knowledge that the honorarium for most teaching staff, especially non-PNS in general and especially at YPI Darul Huda, is still far from adequate in terms of nominal income. It is appropriate here to refer to the Decree of the Governor of East Java which states that the Tulungagung Regency Minimum Wage (UMR) in 2023 is IDR 2,229,358.67.²⁶This nominal value is very high for non-PNS teaching staff. This is because the salaries of teaching and education staff and their allowances at YPI Darul Huda only rely on BOS (School Operational Assistance) and even if there are SPP, it is very minimal, adjusted to the opinion of the average parent of students in villages with uncertain incomes.

Conclusion

After collecting, processing and analyzing data as research results from the discussion regarding "Employment Honorarium System Educator from the perspective of maqashid Syariah" then the author can take it conclusion as follows: 1. Honorarium system for teaching staff at YPI Darul Huda Sumber Pojok uses a time system at the MI and RA levels. Meanwhile in Family planning levels use a fixed system. There is a written agreement is in accordance with Islamic law because there is a contract in it muamalah: The source of funds for honorarium financing comes from funds BOS and SPP at the RA and KB levels so that they are regulated The honorarium system uses BOS funds in accordance with the provisions applicable,

2. Regional government policy in monitoring employee honorariums educators, apart from providing boss funds, namely by providing incentives as well as allowances such as Incentive Assistance from BAZNAS for personnel non-civil servant educators, assistance under the auspices of the Ministry of Religion (registered in sympathy) such as, GBPNS incentives (Teachers are not employees Civil Affairs), BPPDGS (Assistance in Providing Early Education and Private Teachers), BSU (Wage Subsidy Assistance), Assistance shaded by the education office (registered in Dapodik): BSU, Incentive non-PNS PAUD educators and teachers, Performance Allowance Incentives, BLT for preschool teachers from the village government APBDes,

3. Compatibility of Honorarium with the performance of Educator's at YPI Darul Huda Sumber Pojok Ngantru Tulungagung Maqashid perspective Sharia In practice at YPI Darul Huda

²⁶ Decree (SK) of the Governor of East Java (Jatim) Number 188/889/KPTS/013/2022 concerning Regency/City Minimum Wages in East Java in 2023

Sumber Tulungagung that khuliyat al khamsah which exist in maqashid sharian that's all has been realized well according to the circumstances in the field except 1, namely in terms of hifdz maall namely guarding treasure. According to field observations the workload is approx almost the same as non-PNS teaching staff But nominal obtained is still far from the same. In practice at YPI Darul Huda So that it doesn't become too one-sided, he gives some allowances and assistance from existing teaching staff civil servant status and certification. Then the school canteen was held so as to create protection in terms of assets.

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