Proceedings of The 3rd International Conference on Science and Islamic Studies
ISSN: 3024-9058 (Online - Elektronik)
Volume: 3, 2025
Publisher: Program Pascasarjana, UIN Alauddin Makassar

CONSIDERATION OF MAṢLAḤAH MAFSADAH IN AGRARIAN CONFLICT RESOLUTION: A COMPARATIVE STUDY AMONG COMMUNITIES IN INDONESIA

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ABSTRACT

This study discusses agrarian conflicts in Indonesia, which remain a significant and unresolved issue. The problem stems from unequal land ownership, government policies that tend to favor large corporations, and weak legal protections for small communities. In this context, Islamic values such as maṣlaḥah (public benefit) and mafsadah (harm or corruption) can serve as ethical foundations for finding fair and sustainable solutions. This article examines how the principles of maṣlaḥah and mafsadah are applied in resolving agrarian conflicts in several Indonesian communities, including those in Kalimantan and Central Java. The findings show that considering social benefits and preventing harm are key factors in achieving successful conflict resolution.

Keywords: Agrarian conflict; maslahah and mafsadah; policy in Indonesia

1. INTRODUCTION

Agrarian issues in Indonesia remain an unresolved and persistent problem. These issues have existed since the colonial era and continue today. Agrarian conflicts are not just about disputes over land ownership but also involve broader concerns like social justice, economic inequality, and weak legal protection for marginalized communities. According to data from the Consortium for Agrarian Reform (KPA) in 2023, there were over 250 cases of agrarian conflict across various regions in Indonesia, involving hundreds of thousands of hectares of disputed land. Most of these conflicts involve local communities, especially farmers and indigenous peoples, who are often in conflict with large corporations or the government. This situation shows that agrarian issues are not merely about land ownership but also about deeper inequality within Indonesia's social and economic systems.

Generally, agrarian conflicts arise from overlapping land ownership claims, differing interests between local communities and companies, and government policies that tend to favor investment over people's welfare. In many cases, communities who have managed land for generations lack legal standing to defend their rights. Meanwhile, new corporations can easily

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obtain official permits from the government. As a result, local people often become victims, losing their land, sources of livelihood, and sometimes facing violence or criminalization.

So far, most conflict resolutions in agrarian cases have relied on a positive law approach, meaning they focus on legal documents, land certificates, or administrative regulations. Unfortunately, this method often fails to address the root causes and does not bring a true sense of justice to the affected communities. In this context, Islamic values can offer an alternative, more humane way of seeking solutions. One of the key principles in Islam is maṣlaḥah (public benefit or collective good) and mafsadah (harm or damage). This principle encourages people to think carefully before acting whether a decision brings benefit to many or causes social and environmental harm.

Conceptually, maṣlaḥah mafsadah serves as a foundation for evaluating policies based on their benefits and harms. Maṣlaḥah refers to anything that promotes welfare, justice, and social well-being, while mafsadah refers to anything that causes harm, destruction, or injustice. In the context of agrarian conflicts, this principle can be used to assess whether certain policies such as granting plantation permits actually bring social benefit or instead lead to the loss of community rights and environmental degradation.

Moreover, Islam also teaches the values of ʻadl (justice) and taʻāwun (mutual cooperation) in social life. These values can serve as the foundation for building a participatory and just conflict resolution process. This means that communities should not only be treated as policy objects but also be actively involved in decision-making processes. When such an approach is implemented, agrarian conflict resolution can become more humane, fair, and sustainable—not merely benefiting one party.

This study aims to analyze how the principle of maṣlaḥah–mafsadah is applied in resolving agrarian conflicts within various communities in Indonesia. By using a comparative case study approach, this research seeks to understand how Islamic values can be practiced in different social contexts and how their implementation can help realize genuine agrarian justice at the grassroots level. It is hoped that this study will contribute not only to the development of Islamic legal theory but also to creating more equitable and community-centered approaches to agrarian conflict resolution.

2. METHODS

This study employs a qualitative approach using a comparative case study design. This approach is chosen because the research focuses not on numerical data, but on understanding the meaning and application of the maṣlaḥah mafsadah values in different social contexts. The researcher seeks to explore in depth how Islamic principles are applied in the process of resolving agrarian conflicts in two communities: the indigenous people in Kalimantan and the farmer community in Central Java.The qualitative approach allows the researcher to comprehend the social, cultural, and religious dynamics that influence how each community addresses agrarian conflicts.

The research was conducted in two main regions:

1. Central Kalimantan representing indigenous communities that often face land conflicts due to the expansion of mining and plantation companies.
2. Central Java representing farming communities that deal with agrarian conflicts through local collective movements and negotiation efforts.

3. RESULTS

Application of Maṣlaḥah–Mafsadah Values in Practice

Both in Central Kalimantan and Central Java, communities consciously apply Islamic ethical considerations when dealing with land disputes. The concept of maṣlaḥah (benefit) is interpreted not only in material terms—such as income or access to land—but also in social and ecological dimensions. Communities perceive maṣlaḥah as the preservation of harmony, justice, and sustainability, while mafsadah is understood as actions that lead to social division, exploitation, and environmental destruction.

Community-Based Conflict Resolution in Kalimantan

In Central Kalimantan, indigenous communities resolve agrarian conflicts mainly through musyawarah adat (customary deliberation). Decisions are made collectively, considering long-term social and ecological benefits. Islamic teachings are often integrated with local wisdom, emphasizing that exploitation of land without regard to environmental balance constitutes mafsadah. As a result, several villages have succeeded in creating agreements with plantation companies that limit deforestation and ensure community access to sacred or traditional lands.

Legal and Social Movements in Central Java

In contrast, the farmer communities in Central Java rely more heavily on formal legal processes and advocacy through civil society organizations. They interpret maṣlaḥah as the protection of farmers' welfare and land productivity. Local religious leaders (kyai) play an important role in mobilizing community solidarity, framing land justice as part of Islamic responsibility. Their collective action has resulted in some successful cases of land restitution and policy revision at the regional level, though challenges remain in bureaucratic enforcement.

Integration of Religious, Legal, and Cultural Values

Across both sites, the findings indicate that maṣlaḥah–mafsadah principles are not applied abstractly but are localized through community traditions and negotiation practices. This integration of Islamic ethics, local customs, and legal strategies allows for more inclusive and sustainable conflict resolution mechanisms. It also demonstrates the flexibility of Islamic law in addressing modern socio-economic issues.

Challenges and Limitations

Despite positive developments, several obstacles persist. Government policies often remain biased toward corporate interests, and limited legal recognition of customary land continues to cause tension. Furthermore, differing interpretations of maṣlaḥah among stakeholders sometimes lead to prolonged disputes. Nevertheless, communities that prioritize collective benefit over individual gain tend to achieve more lasting resolutions.

Overall, the research highlights that applying maṣlaḥah–mafsadah in agrarian conflict resolution promotes justice, sustainability, and community participation. This approach provides an ethical framework that aligns legal processes with social harmony and environmental stewardship, offering a viable model for broader agrarian reform in Indonesia.

4. DISCUSSION

The Basic Concept of Maṣlaḥah–Mafsadah in Islam

In Islamic thought, maṣlaḥah refers to anything that brings benefit and goodness, while mafsadah refers to anything that causes harm or corruption. According to Al-Ghazali, maṣlaḥah seeks to preserve five essential elements of human life: religion, life, intellect, lineage, and property.[1] Therefore, any policy or action that threatens these five elements constitutes mafsadah and must be avoided.

In relation to land issues, maṣlaḥah can be realized through protecting people's land rights, maintaining ecological balance, and ensuring economic justice. Conversely, mafsadah arises when policies lead to land grabbing, environmental degradation, or new forms of poverty.[2] Thus, this principle serves as a moral framework to assess whether a solution is fair and aligned with Islamic ethics.

Indigenous Communities in Kalimantan

In Kalimantan, indigenous communities often face disputes with mining and plantation companies over customary land. In several cases, conflict resolution is achieved through community deliberation, emphasizing a balance between maṣlaḥah (such as economic opportunities) and the avoidance of mafsadah (such as social fragmentation).[3]This approach reflects how Islamic values can be integrated with local wisdom that prioritizes peace and environmental sustainability.

Farming Communities in Central Java

Meanwhile, farmers in Central Java often pursue legal channels to reclaim their land rights. They also collaborate with civil society organizations to amplify their voices. However, when government policies favor investors and cause farmers to lose productive land, such policies clearly contradict the principle of maṣlaḥah in Islam. Consequently, these communities advocate for agrarian reform that is fair and pro-people.

Comparison Between the Two Communities

When compared, indigenous communities in Kalimantan focus more on maintaining social and environmental harmony, while farmers in Central Java emphasize economic and legal justice. Despite their different approaches, both communities apply maṣlaḥah–mafsadah values according to their social contexts. This demonstrates that Islamic principles are flexible and can adapt to community needs in the pursuit of justice.

5. CONCLUSION

From the discussion presented, it can be concluded that agrarian conflict in Indonesia is not merely a matter of land ownership law, but also a moral, social, and humanitarian issue that

[1] Jasser Auda, Maqasid al-Shariah as Philosophy of Islamic Law: A Systems Approach (London: IIIT, 2008), p. 39.

[2] Syamsuddin, Ahmad. "Environmental Ethics in the Perspective of Maqasid al-Syari'ah," Journal of Contemporary Fiqh, Vol. 7, No. 1 (2021): 23–37.

[3] Yusuf, Rahman. "Land Conflicts and Local Wisdom of Indigenous Communities in Kalimantan," Indonesian Journal of Anthropology, Vol. 45, No. 2 (2023): 89–104.

requires a multidimensional approach. The existing inequality in agrarian structure reflects the dominance of economic and political power over the fundamental rights of marginalized communities, particularly farmers and indigenous peoples. In this context, Islamic values such as maṣlaḥah (public benefit) and mafsadah (harm or corruption) become essential as ethical and philosophical foundations for seeking more just and sustainable solutions.

The principle of maṣlaḥah–mafsadah emphasizes that every policy or social action should aim to produce the greatest benefit for society while preventing harm or injustice. Based on a comparative study of two communities — the indigenous people of Kalimantan and the farming community in Central Java — it is evident that the application of the maṣlaḥah–mafsadah principle is contextual and flexible. The indigenous people of Kalimantan, for instance, place greater emphasis on social and ecological balance. They employ mechanisms of deliberation (musyawarah) and local wisdom to reach peaceful agreements among conflicting parties. This approach demonstrates that Islamic values can be internalized within local traditions that prioritize harmony and environmental sustainability as tangible forms of maṣlaḥah.

Therefore, serious efforts are needed from the government, legal institutions, and society to integrate the maṣlaḥah–mafsadah values into national agrarian policies. The government should design regulations that not only manage the formal distribution of land but also ensure its social and ecological sustainability. Meanwhile, civil society and academics play an important role in ensuring that such policies truly serve the interests of marginalized groups and reflect substantive justice. If Islamic values such as maṣlaḥah and mafsadah can be internalized in public policy, then the ideals of a fair, sustainable, and civilized agrarian reform can be more effectively realized in Indonesia.

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