



## THE IDEA OF BUILDING A HOUSE OF MAQASHID SHARIA PERSPECTIVE

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### ABSTRACT

This study discusses the construction of residential houses in accordance with sharia principles, both in the art and science of designing and constructing buildings and residential houses, which is then called architectural *fiqh*. Residential construction in addition to paying attention to architecture must also pay attention to aspects of Islamic law. Attention of classical and contemporary scholars very few specifically talk about architecture from the point of view of jurisprudence. So far, studies on architecture have mostly studied Islamic architecture, but no one has studied architecture in a *fiqh* approach. So, through the *fiqh* approach, a new study was initiated, namely architectural *fiqh*. This research is a literature study with a focus on *fiqh* studies in building sharia residential houses using a conceptual approach and an architectural *fiqh* approach which is analyzed through qualitative content analysis. The findings of this study indicate that the construction of residential houses so far only pays attention to architectural aspects, so there is a need for a *fiqh* and architectural approach (architectural *fiqh*), namely building houses according to sharia signs such as aspects of worship, muamalah, neighborly etiquette and 'urf or adat. That occurs in society. Through the architectural *fiqh* approach, it directs to build and maintain sharia residential homes in accordance with sharia maqashid, namely maintaining religion, soul, mind, lineage, and property.

### KEYWORDS:

Idea; Building; A House; Maqashid Sharia Perspective

### INTRODUCTION

The house is not only a building construction or building art as a form of human civilization [1] Building ('*umran*) in Ibn Khaldun's term as the mother of industry and civilization that accompanies primary civilizations such as agriculture, weaving, trade and civilizations with superior prestige such as writing, paper production, singing, medicine and so on [2] The house is also not only a place to live for humans but also a place of shelter and gathering with family. A home is a place where a family spends time together and builds a home in it [3]. Every human being certainly wants to have a house that can be lived comfortably [4] Nowadays, it is not uncommon for us to see humans building houses with such grandeur and luxury to show their status and wealth [5] A Muslim's house cannot be distinguished from a non-Muslim house or the house of other people because basically the shape of the house or the characteristics of the house cannot indicate who the occupants in it are, whether Muslim or not [6] although some forms of buildings indicate the occupants, for example, a house that looks like a church or a temple of course. It is just not a Muslim's house. What distinguishes a Muslim's house from a non-Muslim's house is the condition inside the house itself, where the values of religious teachings are applied. However, Islam also provides instructions and guidance on how a Muslim should build his house to

become an ideal house to live in [1]

Currently, humans are competing in collecting treasures to build houses that are magnificent [7] and luxurious like palaces [8], even though this is one of the things signs of the end times or doomsday is coming soon [9]. A Muslim should build his house simply, neither too wide nor too narrow, as long as it can meet the needs of all those who live in it [10]. The command to leave boasting is mentioned in the Qur'an Surah At-Takaatsur verses 5-8.

The presence of architecture originates from the benefits and needs of a building to serve certain functions, which are expressed by an architect through working drawings. The need for a building for spaces in the scope of interior and exterior, begins with a need from building users. In addition, architecture is also a part of art because architecture cannot be separated from taste. This causes the notion of architecture to continue to develop and is influenced by ways of thinking, ways of making, ways of reviewing, and culture. The definition of a new architecture will be understood after experiencing the architecture or architecture. Architecture means language with space and style, with lines and fields, materials and the atmosphere of the place. Architecture is human language, with the image of the elements, both with the material as well as with the form and composition. According to the science of architecture, an architect is

never separated from nature, the surrounding environment, and the local culture. This is because architecture is part of a culture that shows the level of human civilization. Human culture is strongly influenced by nature, and therefore architecture by itself is also a part of nature, able to read nature and create an atmosphere [11].

This study reveals the importance of building a house that is in accordance with Islamic law in the context of a sharia residential house. There are rules and directions from the verses of the Qur'an and the Sunnah of the Prophet that guide activities [12]. If this is done routinely every day, it will become an attitude of life or way of life for the person who carries it out, which affects the space he lives in and affects the realization of his home. Islamic values in residential houses discussed in this study are based on the Koran and Hadith, especially those related to activities in residential homes. Islam is the norm to regulate all human activities. As for architecture, it is a space/container for ongoing human activities, so in Islam, the space must be able to accommodate all pious activities (halal) and not unlawful activities. If the space is a place for pious activities, the space can be called a piety room. This piety space accommodates absolute norms that are sourced from the Qur'an and Hadith [13].

Through the architectural *fiqh* approach, this research is expected to be a reference or material for consideration for Muslims in building residential houses and for housing developers to pay attention to Islamic architectural signs sourced from the Koran and hadith [14]. It is hoped that this research will also be an ingredient in the construction of residential houses, which are the forerunners of Islamic urban planning, both physically and non-physically, physically and spiritually.

## METHODS

This research is a literature study focusing on *fiqh* studies in building sharia residential houses using a conceptual approach and an architectural *fiqh* approach which is analyzed through qualitative content analysis [15]. The architectural *fiqh* approach is a *fiqh* understanding of architecture in which there are Islamic sharia values, such as the value of servitude to God through building design, the value of simplicity, the value of justice, the value of recognizing the rights of others, and existing Islamic values [16]. The architectural *fiqh* approach directs to build and maintain comfortable and safe sharia residential homes in accordance with sharia *maqashid* [17]. The focus of the study discussed in this study is the criteria for housing according to Islamic law and building sharia residential houses through an architectural *fiqh* approach [18]. This study is limited to the initial theoretical basis of architectural *fiqh* [19], so it is still leaving wide research space for other researchers in the field of architectural jurisprudence in particular and Islamic architecture in general [20].

## DISCUSSION

### CRITERIA FOR A LIVING HOUSE ACCORDING TO ISLAMIC LAW

The criteria for a good living house according to Islamic law is a house with a solid building, beautiful decoration, adequate ventilation and cleanliness [21]. The attention of classical and contemporary scholars very few specifically talk about architecture from the point of view of jurisprudence [20]. As Allah SWT also always allows good things and otherwise forbids bad as the criteria mentioned in the Qur'an Surah *Al-Isra* verse 157 [22]. In addition to building a house must adjust or face the direction of the Qibla and prayer room used to worship, it is also best to face the Qibla. Nonetheless, a space that is washing closed or toilet should be built facing the *Qiblah*, as mentioned in the hadith, "When you go to the toilet, do not face the Qibla or put it to urinate or defecate, but face the east or to the west" (*Hadits Shahih Muslim* No. 722).

The Islamic homestay must have sufficient ventilation so that the air in it can flow and avoid health problems as well as to prevent disease. Having a house with good ventilation and sanitation will make its residents healthier and live better [23]. The point is that the cleanliness of the air and the house must always be well maintained. In addition, the water in the bathroom should flow and get used to bathing with the running water as mentioned in the hadith:

*From Abu Hurairah Radliyallaahu 'anhu that the Prophet sallallaahu' alaihi wa sallam said: "Let no one of you bathe in stagnant water (does not flow) when in a state of junub. "(HR Muslim)*

The criteria of a house in accordance with Islamic law must have a special room/room for worship [24]. The space of worship must function as an adequate means of worship and really function as a good means [25], which connects the occupants of the house with Allah SWT (QS. Yunus:87). Islamic houses have enough space for the occupants of the house. That is, the room is in accordance with the needs of the family. In an Islamic house, the parents' and children's rooms are separate [1]. Boys' and girls' rooms are also separate from each other, especially when they are adults (puberty) [26].

There are guest rooms, should be in making a house with many rooms, so that it can separate the rooms for boys and girls [27]. This also makes it easier if at any time there are guests who want to stay at home. And preferably, the living room is separate from the living room so that it is not possible for guests to see the living room freely [13]. There is a separation of rooms or rooms for children who have reached puberty and different sexes [28]. This means that the girl's room has to be separated from her parents' room and her brother's room after she grows up big enough [1]. It should also be noted that angels will not enter a house where there are statues and paintings of living beings therefore the house of a Muslim should not store such things. It is okay to decorate the house with paintings or decorations, but it is good if the

decorations do not resemble the shape or appearance of the creatures created by Allah SWT. Instead, you can put or decorate the house with calligraphic ornaments on the walls.

In addition to paying attention to the interior aspects mentioned above, the house must also pay attention to the exterior aspects that need to be planted with trees. Trees are also living beings created by Allah SWT that produce oxygen, and planting trees as a form of greening the environment in the home area is a good deed and can be the home environment as an ideal home [29]. Planting trees will not only make the house look beautiful but also cool and fresh because the trees that are planted can produce oxygen.

Furthermore, the concept of Islam in residential buildings, namely:

1. Ijtihad, means the earnest effort made by a mujtahid (a person who performs ijtihad) [30] to reach a decision on a case whose settlement has not been stated in the Qur'an and the Sunnah of the Prophet Muhammad as long as it does not conflict with the Qur'an and Hadith [31].
2. Taqlid, means accepting something dogmatically [32], as it is, without being understood beforehand [33], for example, because it has become a habit or it has become a tradition from generation to generation [34].
3. Anti-redundant, meaning not excessive [35]. Thus, beauty (aesthetic elements) does not need to be expensive or wear excessive ornaments that are only sticky and not functional. Anti-waste view, at its core, is efficiency to get optimal results [36].
4. Rational, meaning not making it up [37]. The Islamic view of something using something that is not made up [38], for example, through the use of symbolization which leads to something irrational and leads to stupid thinking [39], especially accountability to the community, and should not be redundant [40].

#### **BUILDING A RESIDENTIAL HOUSE THROUGH AN ARCHITECTURAL JURISPRUDENCE APPROACH**

Several notions of architecture are related to the work of architects, both in the form of processing functions into forms and spaces that are summarized into one. Function is a simple definition of usability [41]. Function can also be interpreted as a way to fulfill desires that arise as a result of human needs in maintaining and developing their lives. Even so, architectural works are not just a matter of function, space and form [42]. More than that, architecture can summarize art in one whole part to present beauty. Architecture as a scientific field should always be based on Islamic values sourced from the Qur'an and hadith, which of course, are the basis for the development of various scientific fields, one of which is architectural science. The form of architecture that appears as a result of the creation of an architect should symbolize Islamic values [43]. This means that the resulting architectural form does not conflict with the principles

of monotheism, sharia provisions, and of course, the values of morality [11].

Architecture in the Islamic view is architecture in which Islamic values are applied, such as the value of servitude to God through building design, the value of simplicity, [44] the value of justice, the value of recognizing the rights of others, and existing Islamic values [45]. As for Islamic architecture is an architecture that has Islamic characteristics [46]. It could be that Islamic architecture includes architecture that is not from Islam. However, because it is in line with the Islamic conception stated in the Qur'an and hadith, the architecture is called Islamic architecture [40].

The formulation of the work of Islamic architecture, in essence, lies not in the embodiment of its physical form but in its intrinsic value and moral spirit. This view should underlie the realization of architectural works. The concept of Islamic architecture refers to the verses "Qur'aniyah" (derived from the Qur'an) and "Kauniyah" (forms of natural law). The concept of Islamic architecture is processed, which has the nature of not destroying nature and must be in accordance with what is needed [45].

The formulation of the concept of architectural planning and design includes the following:

1. The concept of spatial planning, namely the concept of spatial planning for macro areas and micro spaces of architectural buildings that considers the hierarchy, grouping, and character of activities that refer to the ethics of living together in an Islamic way that can create a balance of social and individual space by upholding the principles of harmony and respect as an effort to maintain harmony, which is the principle of conflict prevention.
2. The concept of mass composition, namely the building mass structure, can be developed in a building mass composition that is aesthetically contextual (Islamic) and meets the elements of environmental propriety.
3. The concept of structure-construction and utility, namely the concept of selecting a structure-construction and building utility system that is not only oriented towards the use of advanced structural systems, such as cable, membrane, and long-span structural systems, along with appropriate and environmentally friendly utility systems, but must be able to combine with the use of structural materials and architectural finishing elements from natural-local materials, such as bamboo, wood, stone, and others.
4. The concept of the appearance of the building, namely the concept of building expression, is displayed with the embodiment of the roof, building details, and the use of architectural finishing elements from natural-local materials that support the expression of Islamic architecture.
5. The concept of site and landscape processing, namely the concept of site processing and the

design of design elements for the construction of educational facilities (mosques) that are safe (for users and environmental conditions), comfortable (for users), and friendly (eco culture architecture that is environmentally friendly and environmentally friendly) culture [47].

6. The concept of ornamental design, namely the concept of a building blanket that displays design details through building ornaments that take objects that can be used as conveying meanings for a philosophical message of Islamic education that exists and lives together with the local culture [48].

Islamic architecture is an Islamic way of building as determined by sharia law, without restrictions on the place and function of the building, but rather on its Islamic character in relation to the design of form and decoration [49]. This definition includes all types of buildings, not just monuments or religious buildings. Islamic architecture is an architectural style that displays beauty that is rich in meaning [50]. Every detail contains an element of symbolism with a very deep meaning. One of the meanings read in Islamic architecture is that our admiration for beauty and aesthetics in architecture cannot be separated from our submission and surrender to the greatness and majesty of Allah as the One who has all beauty. Architecture that displays its beauty and splendor of it [11]. This is stated in the Qur'an Surah *an Naml* 44: "It was said to him: "Enter into the palace". So when he saw the floor of the palace, he thought it was a large pool of water, and he exposed his calves. Solomon said: "Indeed it is a smooth palace made of glass". Balqis said: "O my Lord, indeed I have wronged myself and I surrender with Solomon to Allah, the Lord of the worlds".

Islamic architecture (Islamic architecture) is architecture that has Islamic characteristics. It could be that what includes architecture is an architecture that is not from Islam. However, because it is in line with the Islamic conception stated in the Al-Quran and Al-Hadith, the architecture is called Islamic architecture. In this case, one example is green building. Although not from Islam, green building can be classified as Islamic architecture because it is in accordance with the Islamic concept, which encourages humans to take care of the earth. Likewise, sustainable/organic architecture. The concept of sustainability has recently been widely discussed, even though the concept has existed in the Islamic concept since its inception. Al-Qur'an and Al-Hadith mention many commandments so that humans do not waste energy and do not destroy nature. Of course, the two things commanded by the Quran and Al Hadith align with the current concept called sustainable architecture. Therefore, one of the characteristics of Islamic architecture is architecture that is able to align itself with nature and

has the properties that exist in nature, including:

1. Balanced, measurable, and neat, according to QS. *Furqaan* verse 2.
2. Never deviate; for example, every time we release any object on this earth, it will surely fall because of the force of gravity. This is a law of nature or commonly called *sunnatullah*, so that nothing ever happens to float above the earth when it is free from anything. This is what it means to never deviate.
3. Harmony, beautiful, and flawless, as found in the QS. *Al Mulk* verse 7.
4. Aim (there is wisdom and no undefined space), according to the QS. *Ali Imran* verses 190-191.
5. Settings Shade and Shadow, according to QS. *Furqaan* verses 89-46.

Taken as a whole, architecture has emerged where it is needed and is not limited to where it is founded. Architecture also influences the rise and fall of culture and civilization. As one of the world's largest civilizations, the Muslim community is also not left behind in enlivening civilization with architecture that reflects the worldview and Islamic values throughout the history of its development and journey on this earth. In Islam, architecture is part of a work of art that is never separated from the beauty which refers to the greatness of Allah as the Creator. This gives awareness that we as humans are only small servants and do not mean anything compared to the greatness of Allah. Even further, our admiration for beauty and aesthetics in architecture cannot be separated from our submission and surrender to the greatness and majesty of Allah as the Essence of all beauty [11].

Architecture in Islam began with the construction of the Kaaba by Prophet Adam as the center of worship of mankind to Allah SWT [45]. Kaaba is also the first building erected on Earth. Prophet Ibrahim AS continued this tradition with his son, Prophet Ismail AS. They both restored the Kaaba building. After that, the Prophet Muhammad continued the mission of building this Kaaba as a building that aims as a place of worship to Allah. From here, the architectural culture in Islam continues to develop and has an unprecedented impetus, as well as achieving functional and symbolic meaning. This is explained in the Qur'an Surah *Ali Imran* verse 96: "Indeed the first house built for (place of worship) humans, is the *Baitullah* in *Bakkah* (Makkah) which is blessed and a guide for all mankind". It can be concluded that Islamic architecture is an Islamic way of building as determined by sharia law, without restrictions on the place and function of the building, but rather on its Islamic character in relation to the design of form and decoration. This definition includes all types of buildings, not just monuments or religious buildings. [11] This explanation can be seen in Figure 1.

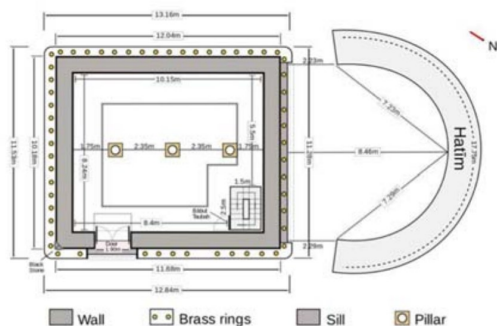


Figure 1. A technical drawing of Kaaba showing dimensions and element [45].

Islamic principles that are very compatible with the concept of building a house are *Habluminallah*, *Habluminannas* and *Habluminal'alam*. The application of Islamic principles in the design of residential homes, among others, is the application of the Value of *Habluminallah*. A comfortable dwelling is a house that can provide peace and security for its inhabitants or a house that meets the criteria of an Islamic house. The following is an illustration of the Prophet Muhammad SAW's house design which can be used as a reference for ideas for building a house. This illustration can be seen in Figure 2.



Figure 2. Illustration of the house of the prophet Muhammad (Youtube: Muslim Central: Replica of The Prophet's ﷺ House | Inside The House of Aishah (ra) - Shaykha Fatima Barkatulla)

Islamically, the placement of land or housing is adjusted to the land, which is the main means of dwelling. Soil is the material from which humans were created. From the land, humans carry on their lives, and on the ground, human bodies will be destroyed [13]. Several verses of the Qur'an, either implicitly or

explicitly, have hinted at the phrases: And give you a place on earth. You build palaces on flat lands, and you carve mountains to build or make houses (Surah 7:74), and we have made for the son of Mary and his mother a clear proof for him, and We sheltered them in a flat high place, many springs of clean running water. (Surah 23:50), And after that, He spread out the earth. It emits from its springs of water and grows various plants. And the mountains, He fixed firmly for the pleasure of you and your livestock (Surah 79:30-33).

From the verses of the Qur'an above, it can be seen that several requirements are needed in building a house, namely: flat land, the presence of clean water sources, plants can live, and the land can also be used as a livestock area. The application of the value *habluminannas*, namely: The placement of the terrace on the outside of the house is the best thing in the pattern of residential space because the terrace serves as a place to receive guests in addition to the living room. In Islam, a wife cannot receive male guests if her husband is not home. The terrace is used as an area to receive guests. The living room is needed to provide a comfortable and familiar feeling to guests who visit [1]. While the application of values *habluminal'alam*, namely the designs and ornaments in it, including the display of statues, but elements of plants and calligraphy that should be in the house. In accordance with the Qur'an, it emphasizes awareness of the environment and environmental realities. This is contained in the word of Allah SWT. "Those who remember Allah while standing, sitting or lying down, and they think about the creation of the heavens and the earth (saying), O our Lord, you did not create this in vain. Glory be to You, so protect us from the torment of Hell." (Surat Ali Imran: 191) [13].

Residential houses in the architectural fiqh approach are not built solely for the purpose of material beauty [51], but are also driven and "guided" by religious-ideological things, both from the developer's perspective and the Muslim housing conceptors [52]. The construction of residential houses so far only pays attention to architectural aspects, so there is a need for a fiqh and architectural approach (architectural fiqh), namely building a residential house that is *rahmatan lil 'alamin* [51]. According to sharia signs such as aspects of worship, *muamalah*, neighborly manners and *'urf* prevail in society. Through the architectural fiqh approach, it directs to build and maintain sharia residential homes in accordance with sharia *maqashid*, namely maintaining religion, soul, mind, lineage, and property.

## CONCLUSION

The idea of building a house from a *maqasid* sharia perspective can be carried out through residential criteria that pay attention to several aspects, namely aspects of worship, *muamalah* aspects, neighborly manners and *'urf* prevailing in society. Residential houses must be solidly built, beautifully decorated, adequately ventilated and kept clean and most importantly, in accordance with the

objectives of Islamic law, namely maintaining religion, soul, mind, lineage, and property in order to create a residential environment that is *rahmatan lil 'alamin*. Building a sharia residential house through an architectural *fiqh* approach, namely Islamic values that are referred to in building residential homes through architecture containing elements of *rahmatan lil 'alamin*, oriented, orderly, efficient, beauty in simplicity, friendship, clean, healthy, comfortable, and sustainable. The architectural jurisprudence approach not only builds houses in the interior and exterior context but also organizes the physical and spiritual that inhabit the dwelling in a spatial structure that is in accordance with Islamic law and leads to piety.

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