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THE CONCEPT OF HEALTHCARE ENTREPRENEURSHIP FROM *FIQH MUAMALAH*'S VIEWS AND ITS IMPLICATIONS FOR MODERN BUSINESS

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Abstract

This study aims to analyze the concept of health entrepreneurship from the perspective of *fiqh muamalah* and to develop a conceptual framework that integrates Islamic legal principles and within health-related entrepreneurial activities. The study seeks to explore how *fiqh muamalah* values can guide entrepreneurial practices in the health sector and its implementation in modern business. This research employs a qualitative approach using a conceptual and normative analysis of Islamic legal and economic literature. The study examines classical and contemporary scholarly works related to Islamic commercial jurisprudence, Islamic business ethics, and entrepreneurship studies. Relevant academic publications and theoretical frameworks are analyzed to construct a conceptual model of health entrepreneurship based on Islamic principles. The findings indicate that health entrepreneurship within the framework of *fiqh muamalah* is grounded in three fundamental dimensions: sharia compliance, Islamic business ethics, and social welfare orientation. These dimensions form a normative foundation for ethical and sustainable business practices in the health sector. The study also proposes a conceptual model illustrating the integration of *fiqh muamalah* principles with modern entrepreneurial practices in health-related businesses. This study contributes to the development of *fiqh muamalah* scholarship by offering a conceptual model of health entrepreneurship based on Islamic legal and ethical principles.

Keywords: Islamic entrepreneurship; *fiqh muamalah*; sharia business ethics; health entrepreneurship; *maqasid al-shariah*

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Introduction

The development of the healthcare industry over the past two decades has undergone significant transformation, both in terms of service delivery and business models. The liberalization of the healthcare sector, advances in medical technology, and growing public awareness of service quality have driven the growth of various forms of entrepreneurship in the healthcare sector, such as private hospitals, specialty clinics, modern pharmacies, and telemedicine services. This phenomenon underscores that the healthcare sector is no longer viewed merely as a social service but also as an economic entity with substantial commercial value.[1]

Nevertheless, the characteristics of the healthcare sector differ from those of other business sectors. Healthcare services directly touch upon fundamental aspects of human life. From an Islamic legal perspective, the protection of life (*ḥifẓ al-nafs*) is an integral part of the *maqāṣid al-syarī'ah*, classified as a *darūriyyāt* (primary) need.[2] Therefore, every economic activity in the health sector cannot be separated from ethical dimensions and Sharia regulations. This is where *fiqh muamalah* plays a crucial role as a regulatory framework that balances profit orientation with the principles of justice, public interest, and moral responsibility.[3]

A number of previous studies have examined entrepreneurship from the perspective of Islamic economics, particularly in relation to Islamic business ethics, the principle of fairness in transactions, and the prohibitions against usury and *gharar*.[4] However, studies that specifically construct the concept of entrepreneurship in the health sector using a *fiqh muamalah* approach remain relatively limited. Some studies place greater emphasis on aspects of sharia-compliant hospital management or halal certification of healthcare services, without elaborating on the normative foundations of contracts, the relationship between business operators and patients, and the limits of commercialization from an Islamic legal perspective.[5]

In practice, however, various problems arise, such as a lack of transparency regarding medical service costs, over-treatment for financial gain, and the emergence of

[1] Buchari Alma, *Kewirausahaan* (Bandung: Alfabeta, 2016), 11–15.

[2] Haerul Akmal and others, "Analisis Maqashid Syariah Dalam Transaksi Akad Qirodh," *JES: Jurnal Ekonomi Syariah* 9, no. 1 (2024).

[3] Mardani, *Fiqh Ekonomi Syariah: Fiqh Muamalah* (Jakarta: Kencana, 2012), 25–30.

[4] Muhammad Djakfar, *Etika Bisnis Islam* (Malang: UIN Malang Press, 2012), 45–52.

[5] Ahmad Sarwat, "Prinsip Syariah Dalam Pelayanan Rumah Sakit," *Jurnal Ekonomi Syariah* 8, no. 2 (2016): 134–40.

health access disparities due to a profit-oriented approach. These conditions indicate a conflict between market logic and the principle of public welfare. Within the framework of *fiqh muamalah*, business activities are fundamentally permissible (*mubah*), but this permissibility is constrained by the principle of *lā ḍarar wa lā ḍirār* (the prohibition against causing harm to oneself or others) and the imperative to uphold justice (‘*adl*) in every contract entered into.[6]

Research on entrepreneurship from an Islamic perspective has been widely conducted, particularly in the context of business ethics and Islamic economics. As Muhammad Djakfar emphasizes in his research, Islamic business ethics places honesty, justice, and social responsibility as the core principles of economic activity.[7] Similarly, Mardani explains that *fiqh muamalah* provides normative boundaries for transactional practices to avoid elements of *riba, gharar,* and *maisir*.[8]

Although many studies have addressed the concept of Islamic entrepreneurship, most of them have focused primarily on the general relationship between Islamic values and entrepreneurial activities. Previous research has tended to emphasize ethical aspects in business practices[9], the role of religion in entrepreneurial behavior,[10] and the contribution of Islamic entrepreneurship to economic development in Muslim societies[11]. However, few studies have specifically analyzed the integration of Islamic legal principles within the framework of *Fiqh muamalah* in the development of entrepreneurship in the health sector. Furthermore, the existing literature rarely presents a comprehensive conceptual model explaining how the principles of Islamic commercial jurisprudence can be systematically applied to guide entrepreneurial activities in the health sector. The health sector possesses unique characteristics regarding professional ethics, service quality, and social responsibility, which demand a more integrated approach between Islamic legal principles and modern entrepreneurial practices.

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[6] Wahbah al-Zuhaili, *Al-Fiqh al-Islami Wa Adillatuhu* (Damaskus: Dar al-Fikr, 1985), 4:2863.

[7] Djakfar, *Etika Bisnis Islam*, 60.

[8] Mardani, *Fiqh Ekonomi Syariah: Fiqh Muamalah*, 30–35.

[9] Achmad Tubagus Surur, Hendri Hermawan Adinugraha, and Dliyauddin Achmad, “An Analysis of Sharia Economic Practices in Pekalongan from Habib Luthfi’s Perspective,” *El-Suffah: Jurnal Studi Islam* 2, no. 2 (November 2025): 138–70, https://doi.org/10.70742/suffah.v2i2.430.

[10] Lukman Raimi, Ibrahim Adeniyi Abdur-Rauf, and Basirat Olaide Raimi, “Interdependence of Halal Entrepreneurship and Islamic Finance for Creating a Strong Halal Ecosystem,” *Journal of Islamic Marketing* 16, no. 3 (October 2024): 929–54, https://doi.org/10.1108/JIMA-05-2023-0162.

[11] Andre Yuberta et al., “Integration of Factor Analysis and Fiqh Muamalah to Entrepreneurial Behavior,” *Al Qalam: Jurnal Ilmiah Keagamaan Dan Kemasyarakatan* 20, no. 4 (July 2026): 2421–33, https://doi.org/10.35931/aq.v20i4.6206.

Therefore, this study aims to bridge this gap by developing a conceptual framework for health entrepreneurship based on the principles of *Fiqh muamalah*. This study contributes to the literature by offering a theoretical model that integrates the principles of Islamic law, Islamic business ethics, and a social welfare orientation within the context of health entrepreneurship.

Thus, this study offers a new perspective on how Islamic economic values can be implemented in modern health-related businesses. Furthermore, this study provides practical contributions by proposing a conceptual model that can serve as a guideline for Muslim entrepreneurs, healthcare practitioners, and policymakers in developing health-related businesses that are not only economically sustainable but also aligned with Islamic ethical and legal principles.

Method

This study employs a normative-conceptual approach through library research. The normative approach is used to examine the principles of *Fiqh muamalah* derived from the Qur'an, Hadith, and the opinions of classical and contemporary Islamic jurists.[12] Meanwhile, the conceptual approach is applied to analyze modern entrepreneurship theories and integrate them with Islamic legal principles, particularly those related to contracts (akad), Islamic business ethics, and *maqāṣid al-sharī'ah*.[13]

The data sources in this study consist of primary and secondary materials. Primary sources include classical and contemporary Islamic jurisprudential works, particularly those discussing *Fiqh muamalah*, Islamic business ethics, and *maqāṣid al-sharī'ah*, such as the works of Abu Ishaq al-Shatibi and Wahbah al-Zuhayli. Secondary sources include books on Islamic economics, entrepreneurship studies, scientific journal articles, and regulations related to healthcare services and business practices.

The data collection process was conducted through a systematic literature selection procedure. First, relevant literature was identified based on three main themes: *fiqh muamalah* principles, Islamic entrepreneurship, and healthcare entrepreneurship. Second, the selected literature was classified according to its conceptual relevance to sharia compliance, Islamic business ethics, and social welfare orientation. Third, the data

[12] Mardani, *Fiqh Ekonomi Syariah: Fiqh Muamalah*, 10.
[13] Alma, *Kewirausahaan*, 25.

were critically reviewed to identify the relationship between Islamic legal principles and modern entrepreneurial practices within the healthcare sector.

The analytical procedure in this study consists of three stages. The first stage involves normative analysis aimed at identifying the foundational principles of *fiqh muamalah* relevant to entrepreneurial activities, including justice (‘*adl*), transparency, prohibition of *riba* and *gharar*, and social responsibility. The second stage involves conceptual analysis through the examination of modern entrepreneurship theories and their compatibility with Islamic economic values. The third stage involves the synthesis of both normative and conceptual findings to construct a conceptual model of sharia-based health entrepreneurship.

The development of the conceptual model was carried out through an integrative analytical process. The researcher first identified the core dimensions derived from *fiqh muamalah* principles and Islamic business ethics. These dimensions were then linked to key elements of healthcare entrepreneurship, including professional responsibility, healthcare service quality, and sustainable business practices. Finally, these interconnected dimensions were formulated into a conceptual framework illustrating the relationship between sharia compliance, Islamic business ethics, social welfare orientation, and the expected outcomes of sharia-based health entrepreneurship.

Data analysis was conducted using qualitative descriptive analysis with a deductive approach. The study derives normative constructions from *fiqh muamalah* principles and applies them within the context of modern healthcare entrepreneurship.[14] This approach enables the study to formulate a conceptual framework that not only reflects Islamic legal values but also addresses the challenges and dynamics of contemporary business practices.

General Concepts of Entrepreneurship

Entrepreneurship is one of the key concepts in today’s economic development because it plays a role in fostering innovation, creating jobs, and boosting economic growth within society. In economic and management terms, entrepreneurship is often understood as the ability of individuals or groups to create new value in economic activities through creativity and innovation by capitalizing on available opportunities.

[14] al-Zuhaili, *Al-Fiqh al-Islami Wa Adillatuhu*, 4:2865.

In Islamic civilization, entrepreneurship has deep historical roots dating back to the early days of Islam's development. Commercial activities and economic enterprises were even among the main pillars in the formation of Muslim society. This is inseparable from the example set by the Prophet Muhammad, peace be upon him, who, before being appointed as a prophet, was known as an honest and trustworthy merchant in the region of Mecca and the commercial hub of Syria. His honesty, trustworthiness, and professionalism in trade earned him the title al-Amīn (the Trustworthy). The business practices carried out by the Prophet Muhammad were not only oriented toward economic profit but also emphasized moral values such as justice, transparency, and social responsibility. These principles later became the foundation of Islamic entrepreneurial ethics, which continues to evolve to this day.[15]

From another perspective, the concept of entrepreneurship first emerged in classical economic theory, which positions entrepreneurs as the primary actors in the economic processes of production and distribution. One of the key figures who made a significant contribution to the development of entrepreneurship theory is Joseph A. Schumpeter. He explained that entrepreneurship is an innovation process carried out by entrepreneurs through new combinations in economic activities, such as the creation of new products, new production methods, the opening of new markets, the use of new raw materials, and the formation of new industrial organizations.[16]

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[15] Afzalur Rahman, *Muhammad as a Trader* (New Delhi: Islamic Book Service, 1999), 12–18.

[16] Joseph A. Schumpeter, *The Theory of Economic Development* (Cambridge, MA: Harvard University Press, 1934), 74.

[17] Peter F. Drucker, *Innovation and Entrepreneurship: Practice and Principles* (New York: Harper & Row, 1985), 28.

Furthermore, the concept of entrepreneurship has also been developed within the perspective of modern management. Peter F. Drucker states that entrepreneurship is fundamentally related to the ability to create something new and different (innovation and entrepreneurship).[18] Drucker also emphasizes that innovation is the primary tool for an entrepreneur in leveraging change as an opportunity to create new businesses or services. Therefore, entrepreneurship is not merely about business ownership but also involves strategic ability in identifying and managing existing opportunities.

A similar view is expressed by Thomas W. Zimmerer, who defines entrepreneurship as the process of applying creativity and innovation to solve problems and identify opportunities in order to improve the quality of business and enhance the quality of life for the community.[19] This definition indicates that entrepreneurship possesses both creative and problem-solving dimensions, enabling individuals to create added value in economic activities. Over time, the concept of entrepreneurship has come to be understood not only within an economic framework but also in the context of social development and community empowerment. Entrepreneurship is often associated with efforts to economically empower communities through job creation, the development of micro and small businesses, and the improvement of social welfare. Thus, it can be said that entrepreneurship possesses a multidisciplinary dimension involving economic, managerial, social, and cultural aspects. Thus, it can be said that entrepreneurship has a multidisciplinary dimension that involves economic, managerial, social, and cultural aspects.[20]

In addition, entrepreneurship also has a number of characteristics that define an entrepreneur. These characteristics include creativity, the ability to innovate, a willingness to take risks, an orientation toward opportunities, and the ability to manage resources effectively. Individuals possessing these characteristics tend to be capable of developing sustainable businesses that are adaptable to environmental changes. In the context of today's global economy, entrepreneurship is also a key factor in enhancing a nation's competitiveness. Countries with high levels of entrepreneurship generally exhibit

[18] Thomas W. Zimmerer, Norman M. Scarborough, and Doug Wilson, *Entrepreneurship and Small Business Management* (New Jersey: Pearson Education, 2008), 5.

[19] Schumpeter, *The Theory of Economic Development*, 66.

[20] Yaroslav Martynyshyn et al., "Entrepreneurship: Theory, Genesis, Socio-Cultural Dimensions and Strategies," *Socio-Cultural Management Journal* 5, no. 2 (November 2022): 3–37, https://doi.org/10.31866/2709-846X.2.2022.267494.

better innovation, more dynamic economic growth, and a greater capacity to create jobs.[21] For this reason, many countries have made entrepreneurship development a key component of their national economic development strategies. Thus, it can be concluded that entrepreneurship is a dynamic process that involves creativity, innovation, a willingness to take risks, and the ability to capitalize on opportunities to create economic and social value. This concept plays a role not only in the development of individual businesses but also in driving economic growth and broader societal development.[22]

The Concept of Modern Health Entrepreneurship

Conceptually, modern entrepreneurship can be understood as the process of creating and developing a business by capitalizing on existing opportunities through innovative approaches and the effective and efficient management of resources. This view aligns with the ideas of Joseph Schumpeter, who emphasized that entrepreneurship is closely linked to innovation and the process of "creative destruction"—that is, the renewal of the economy through the creation of new products, production methods, and business models that replace inefficient old systems. Thus, innovation is a fundamental element that distinguishes modern entrepreneurship from conventional business activities.[23]

Advances in information technology and digitalization have also made a significant contribution to the transformation of entrepreneurship in the modern era. Technological progress has given rise to various new business models, such as technology-based startups, e-commerce, and various digital platforms that connect producers and consumers more efficiently. Digitalization not only expands market access for business actors but also enables the creation of more flexible and innovative business models. In this context, technology acts as a catalyst that accelerates the innovation

[21] Robert D. Hisrich, Michael P. Peters, and Dean A. Shepherd, *Entrepreneurship* (New York: McGraw-Hill, 2017), 8.

[22] "Understanding the Social Role of Entrepreneurship - Zahra - 2016 - Journal of Management Studies - Wiley Online Library," accessed November 22, 2026, https://onlinelibrary.wiley.com/doi/full/10.1111/joms.12149.

[23] Muhammad Usman Tariq, "Healthcare Innovation & Entrepreneurship, Digital Health Entrepreneurship," in *Medical Entrepreneurship: Trends and Prospects in the Digital Age*, ed. Lukman Raimi and Ibrahim Adekunle Oreagba (Singapore: Springer Nature, 2023), 243–58, https://doi.org/10.1007/978-981-19-6696-5_16.

process and improves efficiency in entrepreneurial activities, including in health entrepreneurship.[24]

Health entrepreneurship is one of the rapidly growing fields in modern entrepreneurship studies, particularly in the context of healthcare service innovation and the development of more effective and sustainable healthcare systems. This concept refers to entrepreneurial activities focused on creating value through the development of innovative products, services, or business models aimed at improving the quality of healthcare services and expanding public access to adequate healthcare.

In the literature on entrepreneurship, entrepreneurial activities are fundamentally linked to the processes of innovation and the creation of economic and social value. In the context of the health sector, this process is not only aimed at generating economic profit but is also oriented toward improving public welfare through the provision of more efficient, affordable, and high-quality healthcare services. Thus, health entrepreneurship can be understood as a form of integration between business innovation and social responsibility in the health sector.

The development of health entrepreneurship cannot be separated from the dynamics of change in the global health system, which faces various challenges, such as increasing demand for health services, limited medical resources, and rising healthcare costs. These conditions have spurred the emergence of various innovations in the health sector initiated by entrepreneurs, whether in the form of medical technology, digital health services, or healthcare business models that are more adaptable to community needs.

From the perspective of entrepreneurship theory, innovation is the primary element driving the emergence of health entrepreneurship. Joseph Schumpeter's theory asserts that entrepreneurship acts as an agent of change by introducing new combinations into the economic system through innovations in products, production processes, or business organization.[25] In the health context, such innovation can take the form of developing new medical devices, digital technology-based healthcare systems, or more effective health management methods to improve the quality of patient care.

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[24] Weng Marc Lim et al., "Healthcare Entrepreneurship: Current Trends and Future Directions," *International Journal of Entrepreneurial Behavior & Research* 30, no. 8 (February 2024): 2130–57, https://doi.org/10.1108/IJEBR-02-2023-0197.

[25] Schumpeter, *The Theory of Economic Development*, 66.

In addition to innovation, health entrepreneurship is also linked to the ability of business actors to identify opportunities arising from various health issues faced by the community. In this regard, the concept of "entrepreneurial alertness" proposed by Israel Kirzner explains that an entrepreneur possesses the sensitivity to recognize economic opportunities that have not yet been exploited by others.[26] In the health sector, such opportunities may arise from the public's need for healthcare services that are faster, more accessible, and more cost-effective.

Advances in information technology and biotechnology have also made significant contributions to the development of health entrepreneurship. Digital innovations in the health sector have given rise to various new service models, such as telemedicine, digital health applications, technology-based hospital management systems, and various artificial intelligence-based health devices. This digital transformation enables increased efficiency in health services and expands service reach to communities that previously had difficulty accessing health facilities directly.

In the context of economic development, health entrepreneurship also plays a strategic role in improving the quality of the national health system. Innovation in the health sector not only enhances the effectiveness of medical services but also opens up new economic opportunities through the development of health industries, such as the pharmaceutical industry, medical technology, and digital health services. Therefore, the development of health entrepreneurship is often viewed as a vital component of a sustainable health development strategy.

Nevertheless, health entrepreneurship also faces a range of complex challenges. Strict regulations in the health sector, high research and development costs, and the need for competent professionals often pose obstacles to the development of health innovations. Additionally, ethical considerations in healthcare services are a critical factor that entrepreneurs in this sector must address, given that their activities directly impact human safety and well-being.

In line with the evolving paradigm of sustainable development, health entrepreneurship today increasingly emphasizes the importance of integrating business innovation with social responsibility. According to Peter F. Drucker, entrepreneurship is

[26] Israel M. Kirzner, *Competition and Entrepreneurship* (Chicago: University of Chicago Press, 1973), 35–36.

fundamentally a systematic practice of leveraging change as an opportunity to create innovations that possess both economic and social value.[27] Therefore, health entrepreneurship is not only focused on economic efficiency but must also be able to make a tangible contribution to improving the quality of life for the community through more inclusive and equitable health services.

Based on the above discussion, it can be concluded that health entrepreneurship is a multidimensional concept that integrates business innovation, technological development, and social responsibility within the health sector. The role of health entrepreneurship is becoming increasingly vital in addressing the various challenges of modern healthcare systems; consequently, innovation in this field is expected to enhance the quality of healthcare services while simultaneously fostering sustainable economic growth.

The Theory of *Fiqh* al *Muamalah*

Fiqh muamalah is one of the key branches of Islamic legal studies that governs social and economic relations among people. Terminologically, *fiqh muamalah* refers to a set of Sharia legal provisions governing human economic transactions and interactions, such as buying and selling, leasing, business partnerships, debts and credits, and various other forms of contracts related to worldly interests.

In classical literature, *fiqh muamalah* is understood as the Sharia laws pertaining to human activities in fulfilling their livelihood needs through interaction with others. As explained by Wahbah az-Zuhaili, *muamalah* encompasses all Sharia rules governing human relations in the economic, social, and financial transaction spheres, aimed at realizing the common good.[28] Etymologically, the word *muamalah* derives from the Arabic *'āmala–yu'āmilu–mu'āmalah*, which means to interact with one another or to engage in reciprocal relations. Therefore, the scope of *muamalah* encompasses not only economic transactions but also various forms of social relations that have legal consequences. According to Abdul Wahhab Khallaf, *fiqh muamalah* consists of the Sharia laws governing human relationships in worldly life, particularly in matters of property and transactions, aimed at upholding justice and preventing practices that harm others. Thus, *fiqh muamalah* serves as the normative foundation for the Islamic economic

[27] Drucker, *Innovation and Entrepreneurship: Practice and Principles*, 27.
[28] Abdul Wahhab Khallaf, *Ilm Ushul Al-Fiqh* (Kairo: Dar al-Qalam, 1978), 11.

system, which emphasizes the principles of justice (*al-'adl*), public interest (*maslahah*), and balance in economic activities.

Basic Principles of *Fiqh muamalah*

In practice, *fiqh muamalah* is guided by several basic principles that serve as a framework for economic activities. These principles form the basis for determining the validity of a transaction from the perspective of Islamic law.

a) *The Principle of Permissibility (Al-Ashlu fil Mu'amalat al-Ibahah)*

One of the key principles in the jurisprudence of *muamalah* is that, by default, all forms of transactions are permissible unless there is evidence to prohibit them. This principle provides flexibility for economic development and innovation in business activities. Jalaluddin As-Suyuthi explains that this principle indicates that the default ruling in *muamalah* is permissibility, unless there is evidence prohibiting it, such as usury, *gharar*, or fraud in transactions.[29]

In digital healthcare services such as telemedicine, *gharar* may emerge through unclear consultation fees, uncertain medical outcomes, and limited transparency regarding digital health data management. Therefore, the prohibition of *gharar* becomes increasingly relevant in regulating ethical digital healthcare entrepreneurship.

b) The Principles of Justice and Balance

Fiqh muamalah also emphasizes the importance of the principle of justice in every economic transaction. Islam prohibits all forms of economic practices that involve exploitation, fraud, or injustice that could harm one of the parties. According to Yusuf al-Qaradawi, the principle of justice in Islamic economics aims to create an economic system that is not only materially beneficial but also provides broad social benefits for society.[30]

Recent studies on Islamic entrepreneurship emphasize the importance of integrating ethical values into digital business innovation. However, limited studies specifically examine how *fiqh muamalah* principles may regulate healthcare entrepreneurship in the context of technological transformation and healthcare commercialization

[29] Jalaluddin As-Suyuthi, *Al-Asybah Wa an-Nazhair* (Beirut: Dar al-Kutub al-Ilmiyyah, 1998), 60.
[30] Yusuf al-Qaradawi, *Fiqh Al-Zakah* (Beirut: Muassasah ar-Risalah, 1999), 113.

c) *The Principle of Mutual Consent (An-Taradin)*

Another very important principle in *fiqh muamalah* is the mutual consent of the parties involved in a transaction. This is emphasized in the Qur'an, which states that transactions must be conducted on a voluntary basis without coercion. According to Sayyid Sabiq, mutual consent is a valid condition in *muamalah* transactions because it indicates a fair agreement between the parties involved in the contract.[31]

The principle of *maṣlaḥah* in *fiqh muamalah* provides a broader ethical foundation for healthcare entrepreneurship by emphasizing social welfare rather than mere commercial gain. In contemporary healthcare markets, commercialization frequently leads to unequal healthcare access, particularly among economically disadvantaged groups. Therefore, the integration of *maṣlaḥah* within healthcare entrepreneurship encourages business models that prioritize affordable healthcare services, *waqf*-based financing, and socially inclusive healthcare innovation. This perspective differentiates the present study from previous Islamic entrepreneurship research, which has predominantly focused on general business ethics rather than healthcare-specific entrepreneurial structures.

The Scope of *Fiqh muamalah*

The scope of *fiqh muamalah* is very broad and encompasses various aspects of society's economic life. In both classical and contemporary *fiqh* studies, *muamalah* generally covers several main areas.

First, sales and purchase transactions (al-bay'), which constitute the most fundamental form of economic activity in human life. Second, cooperative contracts such as mudharabah, musyarakah, and various forms of business partnerships. Third, debt and credit transactions (*qardh*),[32] and financial systems designed to address the economic needs of the community. In addition, *fiqh muamalah* also encompasses leasing (*ijarah*), agency (*wakalah*), suretyship (*kafalah*), and various forms of modern business contracts that continue to evolve alongside the dynamics of the global economy. This demonstrates that *fiqh muamalah* is flexible and adaptable to changing times, provided it remains faithful to the principles of Sharia.

[31] Sayyid Sabiq, *Fiqh Al-Sunnah Juz III* (Beirut: Dar al-Fikr, 1983), 122.
[32] Akmal and others, "Analisis Maqashid Syariah Dalam Transaksi Akad Qirodh."

In the context of modern healthcare entrepreneurship, the prohibition of riba and *gharar* becomes increasingly relevant because healthcare services frequently involve information asymmetry between providers and patients. Unclear pricing systems, hidden medical costs, and excessive commercialization may create exploitative conditions that undermine patient welfare. Therefore, *fiqh muamalah* principles function not only as legal norms but also as ethical safeguards for protecting fairness and transparency in healthcare business practices.

The Application of *Fiqh muamalah* in Health Entrepreneurship

Health entrepreneurship is an economic sector that plays a strategic role in improving the quality of life for the community. From an Islamic perspective, entrepreneurial activities in the health sector are not viewed merely as economic activities, but also as a form of social service with moral and spiritual dimensions. Therefore, the application of the principles of *fiqh muamalah* is crucial to ensure that health entrepreneurship practices align with Sharia values.

In *fiqh muamalah*, economic activities are fundamentally permitted as long as they do not contradict Sharia principles. A fundamental rule of *fiqh* states that the default ruling in *muamalah* is permissibility unless there is evidence to prohibit it. This principle provides ample room for innovation in the health sector, including the establishment of clinics, hospitals, pharmacies, and technology-based health services.[33]

The implementation of *fiqh muamalah* in healthcare entrepreneurship can be observed through several key aspects, namely adherence to the principles of Sharia transactions, the application of Islamic business ethics, and a focus on the public interest.

1. *Compliance with Sharia Transaction Principles*

In the practice of healthcare entrepreneurship, various economic transactions occur between healthcare providers and patients or consumers. Therefore, every transaction must adhere to Sharia principles such as justice, transparency, and clear mutual agreement among the parties. In healthcare entrepreneurship, transparency may be operationalized through clear medical billing systems, transparent pharmaceutical pricing, informed consent procedures, and open disclosure regarding healthcare service risks and treatment costs.

[33] Abdul Karim Zaidan, *Al-Madkhal Li Dirasat al-Shari'ah al-Islamiyyah* (Beirut: Mu'assasah al-Risalah, 2006), 215.

Fiqh muamalah emphasizes the importance of avoiding prohibited elements such as riba, *gharar*, and maisir in every economic transaction. This means that financing systems, the pricing of healthcare services, and business cooperation mechanisms must be conducted fairly and transparently. According to Wahbah al-Zuhayli, economic transactions in Islam must be based on the principle of mutual consent between the transacting parties (*an-tarāḍin minkum*), so as not to give rise to exploitation or injustice.[34] In the context of healthcare entrepreneurship, this principle can be realized through transparency in medical service costs, clear partnership agreements between healthcare providers and business owners, and a financing system that aligns with the principles of Islamic economics.

1. *The Application of Islamic Business Ethics in Healthcare Services*

Business ethics is a key aspect of implementing *fiqh muamalah* in healthcare entrepreneurship. Values such as honesty, trustworthiness, responsibility, and professionalism form the primary foundation for building trust between healthcare providers and the public.

These ethical principles align with the example set by Muhammad, who was known as an honest and trustworthy merchant. Such moral integrity is a fundamental principle in all business activities, including those in the healthcare sector.[35] And in the practice of healthcare entrepreneurship, the application of Islamic business ethics can be realized through professional service, the provision of honest medical information to patients, and the avoidance of business practices that harm the public, such as the manipulation of drug prices or the provision of unnecessary medical services.

2. *Focus on Social Welfare*

One of the key characteristics of the Islamic economy is its focus on the public good. From the perspective of *fiqh muamalah*, entrepreneurial activities in the health sector aim not only to generate economic profit but also to make a tangible contribution to improving public welfare.

This concept aligns with the primary objectives of Sharia (*maqāṣid al-sharī'ah*), which emphasize the importance of preserving human life and social welfare. Within the framework of *maqāṣid*, healthcare services are part of the effort to preserve human life

[34] Wahbah al-Zuhayli, *Al-Fiqh al-Islami Wa Adillatuhu* (Damascus: Dar al-Fikr, 1989), 4:2865.
[35] Rahman, *Muhammad as a Trader*, 45.

(*ḥifẓ al-nafs*). This line of thought was developed by Abu Ishaq al-Shatibi, who asserted that the primary objective of Sharia is to realize human welfare across various aspects of life.[36]

In the context of healthcare entrepreneurship, a focus on social welfare can be realized through the provision of affordable healthcare services, corporate social responsibility (CSR) programs, and participation in social activities such as free healthcare services for underprivileged communities.

The development of Sharia-based healthcare entrepreneurship is a form of integration between healthcare business activities and Islamic values. This model is not only oriented toward economic profit but also toward the application of Sharia principles, Islamic business ethics, and the achievement of the public good. Thus, Sharia-based healthcare entrepreneurship can serve as an alternative healthcare business model that is more equitable and oriented toward social welfare. From the perspective of *Fiqh muamalah*, the healthcare entrepreneurship model must adhere to the principles of halal transactions, transparency, and freedom from prohibited practices such as *riba*, *gharar*, and *maisir*. These principles form the primary foundation for every economic activity conducted by Sharia-based healthcare institutions.[37]

The principle of contractual clarity (*al-'aqd*) is highly relevant in healthcare entrepreneurship because healthcare transactions often involve complex relationships between patients, healthcare providers, insurance institutions, and digital health platforms. Clear contractual arrangements help prevent uncertainty (*gharar*) and protect patients from hidden costs or unethical healthcare commercialization. These practical applications demonstrate that the dimensions of sharia compliance, Islamic business ethics, and social welfare orientation are not isolated concepts but interconnected components forming the conceptual foundation of sharia-based healthcare entrepreneurship.

In practice, there are several models of Sharia-based healthcare entrepreneurship that can be implemented in society, including the following.

1. *Sharia Clinics or Hospitals*

[36] Abu Ishaq al-Shatibi, *Al-Muwafaqat Fi Usul al-Shariah* (Beirut: Dar al-Ma'rifah, 1995), 303.
[37] al-Zuhayli, *Al-Fiqh al-Islami Wa Adillatuhu*, vol. 4.

One concrete form of Sharia-based healthcare entrepreneurship is the establishment of clinics or hospitals that integrate Sharia principles into their healthcare delivery systems. This model not only applies professional medical standards but also prioritizes Sharia compliance in the management of healthcare services.

For example, the management of Sharia hospitals typically applies principles such as the separation of patient services based on Sharia requirements, the use of Sharia financial systems, and the implementation of service ethics aligned with Islamic values. This model demonstrates that healthcare services can be developed as a business that upholds the integrity of religious values.[38] Additionally, Sharia-compliant hospitals prioritize values of empathy, honesty, and service oriented toward humanity, which are part of Sharia's objective to safeguard human life (*ḥifẓ al-nafs*).

2. Pharmacies and the Distribution of Halal Medicines

Sharia-based health entrepreneurship models can also be applied to the pharmacy and halal medicine distribution sectors. In this context, business operators not only focus on the safety and quality of medicines but also ensure that the products they market meet halal standards and do not contain ingredients prohibited in Islam.

The application of this principle aligns with the concept of moral responsibility in business activities, which requires business operators to maintain public trust and ensure that the products marketed provide health benefits to consumers.[39]

3. *Health Services Based on Waqf and Islamic Philanthropy*

Another model that can be developed is health entrepreneurship based on *waqf* or Islamic philanthropy. In this model, health facilities such as clinics or hospitals can be supported by *waqf* funds used to provide health services to the community, particularly the underprivileged.

This concept has a strong foundation in Islamic economics, which emphasizes the importance of wealth distribution and social solidarity. According to Muhammad Umer Chapra, social instruments such as zakat and *waqf* play a crucial role in creating a more

[38] World Islamic Economic Forum, *Islamic Healthcare Management Report* (Kuala Lumpur: World Islamic Economic Forum, 2016).

[39] Monzer Kahf, *Islamic Economics: Principles and Analysis* (Jeddah: Islamic Research and Training Institute, 2008), 78.

just and inclusive economic system.[40] The *waqf*-based healthcare entrepreneurship model not only provides economic benefits but also strengthens the social role of healthcare institutions within society.

4. *Technology-Based Sharia Healthcare Startups*

Advances in digital technology are opening new opportunities for the development of Sharia-based healthcare entrepreneurship. Technology-based healthcare startups can provide various services such as online medical consultations, digital clinic management systems, and health education platforms that align with Sharia principles.

The model above demonstrates that the principles of *fiqh muamalah* remain relevant in the face of digital economic developments. As long as such technological innovations benefit society and do not conflict with Sharia values, they can be accepted within the framework of Islamic law.[41]

Fiqh muamalah Analysis of the Concept of Health Entrepreneurship

Entrepreneurship in the health sector is a form of economic activity with unique characteristics, as it is directly related to humanitarian aspects, safety, and the well-being of society. From the perspective of *fiqh muamalah*, every economic activity is fundamentally permissible as long as it does not contradict established Sharia principles. A *fiqh* principle states that a*l-aṣlu fi al-mu'āmalāt al-ibāḥah illā an yadulla dalīlun 'alā taḥrīmihā*, meaning that, in principle, all forms of *muamalah* are permitted as long as there is no evidence prohibiting them.

This principle serves as the basis for the legitimacy of health entrepreneurship practices, provided such activities are conducted ethically, transparently, and do not contain elements prohibited under Islamic law. [42] Previous studies on Islamic entrepreneurship have predominantly focused on general Islamic business ethics or sharia-compliant financial practices. In contrast, this study specifically develops an analytical *fiqh muamalah* framework for healthcare entrepreneurship by integrating sharia compliance, Islamic business ethics, and social welfare orientation into a comprehensive conceptual model.

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[40] Muhammad Umer Chapra, *Islam and the Economic Challenge* (Leicester: The Islamic Foundation, 1992), 67.

[41] Jasser Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach* (Virginia: International Institute of Islamic Thought (IIIT), 2008), 88.

[42] al-Zuhayli, *Al-Fiqh al-Islami Wa Adillatuhu*, 4:340.

In the analysis of *fiqh muamalah*, the concept of health entrepreneurship can be understood through several fundamental principles that form the foundation of Islamic economic practice. The first principle is justice (al-'adl), which is the obligation to ensure that every business transaction is conducted fairly and does not harm others. In the context of healthcare services, this principle is reflected in the setting of reasonable service prices, transparency in medical costs, and the provision of medical services that do not discriminate against patients. Islam emphasizes that economic activities must not become a means of exploiting those in need, including in the healthcare sector, which often involves emergency situations or patient vulnerability.[43]

The second principle is the public interest (*maṣlaḥah*), which refers to the orientation of economic activities toward creating broad benefits for society. In health entrepreneurship, this principle is particularly important because health services are fundamentally aimed at preserving life and improving the quality of human life. Therefore, business practices in the health sector should not be oriented solely toward financial profit but must also take into account the resulting social impacts. This perspective aligns with the primary objectives of Islamic law (*maqāṣid al-sharī'ah*), particularly in safeguarding life (*ḥifẓ al-nafs*), which is one of the main objectives within the Islamic legal system.[44] The principle of contractual clarity (al-'aqd) becomes particularly important in modern healthcare entrepreneurship because healthcare transactions frequently involve complex agreements among hospitals, insurance providers, digital health platforms, and patients. Without transparent contractual arrangements, patients may face uncertainty regarding treatment costs and healthcare obligations.

In addition, *fiqh muamalah* also emphasizes the importance of contractual clarity (al-'aqd) in every economic transaction. In the practice of healthcare entrepreneurship, contractual clarity can be achieved through transparency in medical service agreements between healthcare providers and patients. This includes clarity regarding the type of services provided, the fees to be paid, and the rights and obligations of each party. Clarity of the contract is essential to prevent the presence of uncertainty (*gharar*), which is prohibited in Islamic economic transactions. With a clear contract, the relationship

[43] Yusuf al-Qaradawi, *The Lawful and the Prohibited in Islam* (Kuala Lumpur: Islamic Book Trust, 1999), 245.
[44] Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law*, 21–24.

between healthcare providers and patients can proceed fairly and professionally.[45] In healthcare entrepreneurship, exploitative practices may emerge through excessive medical pricing, unnecessary treatment procedures, or unequal access to healthcare services. Within this context, the *fiqh muamalah* principle of justice (al-'adl) functions as a normative mechanism to prevent the commercialization of patient vulnerability and to ensure equitable healthcare access.

Another principle that is also crucial in the *fiqh muamalah* analysis of healthcare entrepreneurship is the prohibition against economic practices involving riba, *gharar*, and exploitation. In the modern healthcare sector, these challenges often manifest as excessive commercialization of healthcare services, disproportionate pricing practices, or financing systems that do not align with Sharia principles. Therefore, the application of Islamic economic principles in healthcare entrepreneurship is highly relevant to ensure that business practices remain within the ethical framework and humanitarian values taught by Islam.[46]

Furthermore, the concept of health entrepreneurship from the perspective of *fiqh muamalah* also emphasizes the importance of integrating professionalism, social responsibility, and spiritual values into business practices. A Muslim entrepreneur is not only required to possess managerial skills and business innovation, but must also uphold the values of honesty (ṣidq), trustworthiness, and social responsibility. These values have been exemplified since the early days of Islam through the trading practices of Muhammad, who was known as an honest and trustworthy merchant. The business ethics principles exemplified in this way serve as a normative foundation for the development of entrepreneurship oriented toward a balance between economic profit and social welfare.[47]

Thus, an analysis of *fiqh muamalah* indicates that the concept of health entrepreneurship can be developed as a business model that is not only profit-oriented but also grounded in ethical values and the public good. The integration of Sharia principles with modern entrepreneurial practices has the potential to create a health business system that is more just, transparent, and sustainable. This approach simultaneously affirms that

[45] Muhammad Taqi Usmani, *An Introduction to Islamic Finance* (Karachi: Maktaba Ma'ariful Qur'an, 2002), 72–75.
[46] Kahf, *Islamic Economics: Principles and Analysis*, 55–58.
[47] Afzalur Rahman, Muhammad as a Trader (New Delhi: Kazi Publications, 1999), 15–20.

business activities in Islam are not viewed merely as economic activities, but also as a means to achieve social welfare and fulfill moral responsibility toward fellow human beings.

Therefore, the integration of *maṣlaḥah* within healthcare entrepreneurship encourages the development of socially inclusive healthcare models, including *waqf*-based healthcare institutions and affordable sharia healthcare financing. This analytical perspective differentiates the present study from previous Islamic entrepreneurship studies, which have generally focused on broader ethical dimensions without specifically examining healthcare entrepreneurship structures.

A Conceptual Model of Health Entrepreneurship from the Perspective of *Fiqh muamalah* and Its Implications for Modern Business

The conceptual model proposed in this study was constructed through an integrative analytical process combining *fiqh muamalah* principles, Islamic business ethics, and healthcare entrepreneurship theories. The model development began by identifying key normative dimensions derived from Islamic commercial jurisprudence, including justice (al-'adl), transparency, contractual clarity (al-'aqd), and public welfare (*maṣlaḥah*). These dimensions were subsequently linked to contemporary healthcare entrepreneurial practices such as ethical healthcare services, professional accountability, halal healthcare products, and sustainable healthcare innovation. This principle provides ample room for the development of economic innovation, including in the health sector, which plays a vital role in sustaining human life. According to Wahbah al-Zuhayli, the *muamalah* system in Islam aims to establish justice in economic transactions and protect the rights of economic actors.[48]

The dimensions within the proposed model operate interdependently rather than independently. Sharia compliance functions as the legal foundation regulating healthcare transactions, while Islamic business ethics serves as the moral framework guiding professional conduct and entrepreneurial responsibility. These dimensions collectively reinforce social welfare orientation by ensuring that healthcare entrepreneurship remains ethically accountable and socially beneficial. Previous studies on Islamic entrepreneurship generally emphasize ethical business conduct or sharia financial compliance in broader commercial activities. In contrast, the present study specifically

[48] Wahbah al-Zuhayli, Al-Fiqh al-Islami wa Adillatuhu, Vol. 4 (Damascus: Dar al-Fikr, 1989)

develops a healthcare entrepreneurship framework grounded in *fiqh muamalah* principles. Unlike prior studies focusing primarily on hospital management or halal certification, this study integrates legal, ethical, and social dimensions into a multidimensional conceptual model.

The first dimension is compliance with Sharia principles (Sharia compliance). In the context of health entrepreneurship, compliance with Sharia principles encompasses the use of clear contracts in every economic transaction, the avoidance of usury (*riba*), uncertainty (*gharar*), and gambling (*maisir*), as well as ensuring the halal status of health products or services provided to the public. This principle serves as the normative foundation ensuring that healthcare business activities operate in accordance with Islamic law.

The second dimension is Islamic business ethics. Islamic business ethics emphasizes moral values such as honesty (*ṣidq*), trustworthiness, responsibility, and professionalism in conducting business activities. These values are central to the commercial practices exemplified by Muhammad, who was known as an honest and trustworthy merchant. In the healthcare sector, the application of Islamic business ethics is crucial for building public trust in the healthcare services provided.

The third dimension is a focus on social welfare (social welfare orientation). From an Islamic economic perspective, economic activities are not merely aimed at generating individual profit but must also provide benefits to society at large. This principle aligns with the concept of the objectives of Sharia (*maqāṣid al-sharī'ah*), which emphasizes the importance of preserving human life (*ḥifẓ al-nafs*). This line of thought was systematically developed by Abu Ishaq al-Shatibi, who asserted that the primary objective of Sharia is to promote the welfare of humanity in various aspects of life.[49]

Based on these three dimensions, the conceptual model of health entrepreneurship grounded in *fiqh muamalah* in this study illustrates that the application of Sharia principles and Islamic business ethics will result in professional, ethical, and community-welfare-oriented health entrepreneurship practices. This model emphasizes that the integration of Shariah values and modern entrepreneurial innovation can serve as a foundation for the development of a sustainable health business system. Thus, the conceptual model proposed in this study not only contributes theoretically to the

[49] Afzalur Rahman, Muhammad as a Trader (New Delhi: Islamic Book Service, 1999).

development of Islamic economic studies but also has practical implications for the development of health entrepreneurship grounded in Shariah values.

In the context of modern healthcare business, the proposed model may serve as an ethical and regulatory framework for sharia hospitals, halal pharmaceutical industries, telemedicine platforms, and Islamic healthcare startups. The integration of *fiqh muamalah* principles within these sectors may help ensure transparency, patient protection, ethical pricing mechanisms, and socially inclusive healthcare innovation amid the increasing commercialization of healthcare services. The originality of this study lies in its attempt to systematically integrate *fiqh muamalah* principles with healthcare entrepreneurship through a multidimensional analytical framework. This study extends the discourse of Islamic entrepreneurship beyond general ethical considerations by specifically addressing contractual, ethical, and social complexities emerging within contemporary healthcare business practices.

In the context of health entrepreneurship, the application of *fiqh muamalah* principles is not limited to the legal aspects of economic transactions but also encompasses moral and social dimensions that emphasize the importance of justice, transparency, and professional responsibility. These principles are ultimately expected to yield health entrepreneurship activities that not only generate economic benefits but also contribute to enhancing public welfare. The integration of the three dimensions mentioned above—namely, Sharia compliance, Islamic business ethics, and a social welfare orientation—can form a model of health entrepreneurship based on *fiqh muamalah* that is oriented not only toward business sustainability but also toward social sustainability. This model demonstrates that entrepreneurial practices in the health sector can serve as a means to realize Islamic economic values that emphasize a balance between economic profit and social responsibility.

The proposed conceptual model contributes to Islamic economic scholarship by providing an integrative framework that connects *fiqh muamalah* principles with contemporary healthcare entrepreneurship challenges. The model not only emphasizes legal compliance with Sharia principles but also incorporates ethical accountability and social welfare orientation as interconnected dimensions shaping sustainable healthcare business practices.

Conclusion

This study demonstrates that healthcare entrepreneurship from the perspective of *Fiqh muamalah* is not merely profit-oriented but also grounded in ethical responsibility and social welfare principles. The findings reveal that sharia compliance, Islamic business ethics, and social welfare orientation constitute interconnected dimensions forming the normative foundation of sharia-based healthcare entrepreneurship. The originality of this study lies in its development of an integrative conceptual model that systematically connects *fiqh muamalah* principles with contemporary healthcare entrepreneurship practices. Unlike previous studies that mainly focus on Islamic business ethics or sharia hospital management separately, this study offers a multidimensional analytical framework integrating legal, ethical, and social dimensions within healthcare business activities.

Theoretically, this study contributes to the development of Islamic Economics and Islamic entrepreneurship studies by extending *fiqh muamalah* discourse into the healthcare entrepreneurship sector. Practically, the proposed model may serve as an ethical and conceptual guideline for sharia hospitals, halal pharmaceutical industries, telemedicine services, and Islamic healthcare startups in developing transparent, socially responsible, and sustainable healthcare business practices. Furthermore, this study highlights the continuing relevance of *fiqh muamalah* principles in responding to contemporary healthcare commercialization and digital healthcare transformation. Future studies may further explore the empirical implementation of this conceptual model within healthcare institutions and Islamic healthcare business ecosystems.

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