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INTEGRATING MAQASID SHARIA INTO THE PLANNING STAGE OF PUBLIC-PRIVATE PARTNERSHIP (PPP) SHARIA FOR INFRASTRUCTURE DEVELOPMENT IN INDONESIA

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Abstract

Public-Private Partnerships (PPPs) play a critical role in addressing Indonesia's infrastructure needs, yet the integration of Sharia values into the planning stage has received limited scholarly attention. This study seeks to address this gap by incorporating Maqasid Sharia into PPP planning to support the development of a Sharia-compliant framework. A qualitative approach was employed, drawing on semi-structured interviews with 25 participants representing academia, government institutions, professional associations, and the business sector. The data were analyzed using thematic analysis, which facilitated the systematic categorization of responses and the identification of themes. The findings demonstrate that embedding Sharia principles into PPP planning enhances compliance with Sharia values while ensuring economic feasibility, with social welfare, justice, and sustainability emerging as central considerations in the preparation of planning documents. The study contributes conceptually by advancing the development of a Sharia-compliant PPP blueprint for Indonesia and provides practical insights for policymakers. Beyond Indonesia, the findings also serve as a reference for other Muslim-majority countries seeking to align infrastructure development with Sharia principles. This study is among the first to explicitly examine the integration of Maqasid Sharia into PPP planning, thereby advancing the literature on Sharia-compliant infrastructure and providing a foundation for future research in this emerging field.

Keywords: Infrastructure; Maqasid Sharia; Planning; PPP; Semi-structured Interview

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INTRODUCTION

Indonesia's infrastructure investment needs under the Public-Private Partnership (PPP) scheme are projected to reach 42 percent of the total requirement, amounting to approximately USD 190 billion (Presidential Regulation No. 18, 2020; Sunandar and Indiyati, 2023). In practice, several ministries, including the Ministry of Public Works and the Ministry of Transportation, as well as regional governments in Aceh, West Sumatra, Gorontalo, and West Nusa Tenggara, have expressed the need for a Sharia-compliant PPP scheme (Ministry of National Development Planning, 2023a). This scheme is also expected to attract investors who prioritize infrastructure projects aligned with Sharia principles, particularly those from the Middle East and member states of the Organization of Islamic Cooperation (KNKS and PT PII, 2020).

Globally, extensive research has examined infrastructure PPPs across diverse sectors, including toll roads (Rohman, 2022), water and wastewater (Amiri et al., 2022), solid waste management (Dolla and Laishram, 2022), electricity infrastructure (Kukah et al., 2023), bridges (Oliveros-Romero and Paton-Cole, 2023), hospitals (McGuire et al., 2024), transportation (Li and Love, 2022), and smart cities (Zhao et al., 2023). However, studies specifically addressing PPP Sharia remain limited, and the planning stage has received little systematic attention. The existing literature on Islamic finance in infrastructure has primarily emphasized financing mechanisms or contractual structures, while the integration of Maqasid Sharia, the higher objectives of Sharia, into PPP planning documents and processes has been largely overlooked (Hamid et al., 2019; Rakhmadi et al., 2022). This gap is particularly significant, as the planning stage constitutes the foundation of Indonesia's PPP framework and shapes the long-term feasibility, regulatory compliance, and societal impact of PPP projects (Ministry of National Development Planning, 2023b).

Recent studies on conceptual frameworks for Sharia-compliant PPPs have recognized the importance of Maqasid Sharia but have not explored it in sufficient depth (Sunandar et al., 2025a). The lack of clear guidance on how Maqasid Sharia can be operationalized at the planning stage therefore presents both theoretical and practical challenges. Theoretically, conceptual clarity remains limited regarding how Sharia objectives such as social welfare, justice, and sustainability can be integrated into PPP planning practices. Practically, the absence of Sharia-oriented planning instruments may hinder Indonesia's ability to attract Sharia-sensitive investors and to meet the expectations of domestic stakeholders who demand Sharia compliance in public infrastructure.

This study seeks to address these gaps by focusing on government-initiated (solicited) PPPs in Indonesia and examining how Maqasid Sharia can be integrated into PPP planning processes, as well as what thematic elements from stakeholder perspectives can inform the development of a Sharia-compliant PPP

framework. By engaging with these questions, the study contributes both conceptually and practically to the discourse on Sharia-based infrastructure investment, offering insights relevant not only to Indonesia but also to other Muslim-majority countries confronting similar demands for Sharia-compliant development models. This study is among the first to explicitly examine the integration of Maqasid Sharia into PPP planning, thereby advancing the literature on Sharia-compliant infrastructure and providing a foundation for future research in this emerging field.

LITERATURE REVIEW

Public-Private Partnership (PPP)

The development of public infrastructure requires substantial funding and is typically characterized by long-term investment. In this context, governments often face constraints related to both financial resources and service innovation (Qingbiao et al., 2024). The participation of private entities or investors therefore becomes essential in supporting infrastructure provision, commonly achieved through formal agreements between the government and the private sector (Mat Aron et al., 2024). Such agreements stipulate requirements related to service quality and reliability within the framework of the PPP scheme (Yescombe & Farquharson, 2018).

A PPP project initiated by the government, represented by a Government Contracting Agency (GCA), is categorized as a solicited project, whereas one proposed by the private sector is categorized as unsolicited. In Indonesia, GCAs authorized to plan solicited PPP projects include ministers, heads of agencies, governors, mayors, regents, and chief executive officers of state-owned enterprises, in accordance with their respective statutory mandates (Sunandar et al., 2024; Sunandar and Indiyati, 2023).

Solicited PPP Indonesia Planning Stage

The mechanism for solicited PPPs in Indonesia at the planning stage is governed by:

1. Presidential Regulation No. 38/2015 on Public-Private Partnership in Infrastructure Provision.
2. Regulation of the Minister of National Development Planning No. 7/2023 on the Implementation of Public-Private Partnerships in Infrastructure Provision.

According to these regulations, the planning stage of the solicited PPP mechanism in Indonesia consists of the following elements:

- a. Identification of PPP
- b. Establishment of Funding Scheme
- c. Preparation of Budget Plan
- d. Public Consultation
- e. Proposal to the PPP Plan List
- f. Preparation of PPP Plan List

Maqasid Sharia

Al-Imam al-Ghazali emphasized that the concept of Maqasid Sharia is central to preserving the fundamental objectives of the Sharia system, serving as the primary framework for guiding human life. It aims to safeguard society from threats to its stability while simultaneously promoting overall well-being. Allah, the Almighty, has established Sharia to enhance human life in both this world and the hereafter, thereby ensuring prosperity in both realms through the preservation of five essential dimensions: religion, life, intellect, lineage, and wealth (Hamid et al., 2019; Hidayah et al., 2022).

Fulfilling Maqasid Sharia, as the fundamental objectives of Sharia, is a core requirement for ensuring Sharia compliance. It secures the realization of benefits while mitigating potential harms in human activities and transactions. The overarching objective of Maqasid Sharia is to protect the essential necessities of human life, which encompass the following (Hamid et al., 2019; Hidayah et al., 2022; Rakhmadi et al., 2022; Ribadu et al., 2020):

- a. Hifdz Ad-Din (preservation of religion)
- b. Hifdz An- Nafs (preservation of life)
- c. Hifdz Al-Aql (preservation of intellect)
- d. Hifdz An-Nasb (preservation of progeny)
- e. Hifdz Al-Maal (preservation of wealth)

RESEARCH METHODOLOGY

This study adopted a qualitative research design, employing semi-structured interviews as the primary method of data collection (Dai et al., 2023). Expert participants were recruited through purposive sampling and the snowball technique (Kukah et al., 2023). The inclusion criteria required participants to possess professional or academic expertise in infrastructure development, PPPs, or Sharia compliance, with a minimum of five years of relevant experience. Individuals without direct involvement in PPP-related policy, practice, or research were excluded. Data saturation was achieved with 25 respondents, as no

new insights emerged beyond that point. A summary of the respondents is presented in Table 1 and Figure 1.

The interviews were conducted online, scheduled according to participant availability, and held without a predetermined sequence. Each session lasted between 45 and 90 minutes, with an average duration of 49 minutes and 28 seconds. Participation was voluntary, and informed consent was obtained before each interview.

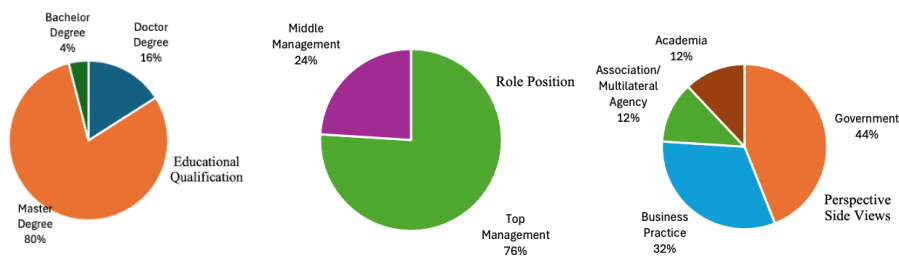


Figure 1: Interviewees Background (Educational Qualification, Role Position, and Perspective Side View)

Source: Author's Own Creation (2025)

Table 1: Interview Respondents

Code	Position	Organization	Code	Position	Organization
A1	Director	Ministry of Public Works	A14	Director	PT Jasa Marga
A2	Director	Ministry of Investment	A15	Partner	PwC
A3	Director	Nusantara Capital City Authority	A16	SVP	PT PP
A4	Deputy Director	National Committee for Islamic Economy and Finance	A17	Manager	PT PP
A5	Deputy Director	Ministry of National Development Planning	A18	Manager	Bank Syariah Indonesia
A6	Deputy Director	Ministry of Finance	A19	Manager	Bank Syariah Indonesia
A7	Deputy Director	Ministry of Public Works	A20	National Sharia Council	Majelis Ulama Indonesia
A8	Deputy Director	Ministry of Transportation	A21	VP	Asian Infrastructure Investment Bank
A9	Deputy Director	Ministry of Transportation	A22	Founder	Association of PPP Indonesia Expert

Code	Position	Organization	Code	Position	Organization
A10	Deputy Director	National Public Procurement Agency	A23	Lecturer & Researcher	State Polytechnic of Banjarmasin
A11	Deputy Director	National Public Procurement Agency	A24	Lecturer & Researcher	Universitas UPN Jawa Timur
A12	Commissioner Independent	Bank Syariah Indonesia	A25	Lecturer & Researcher	Universitas Mercu Buana
A13	Director	PT. SMI			

Source: Author's Own Creation (2025)

All interviews were audio recorded with participant consent and transcribed verbatim. The transcripts were subsequently returned to participants for verification, allowing them to review and amend the content if necessary. Finalized transcripts were uploaded into qualitative analysis software and analyzed using thematic analysis, following the procedures outlined by Saldana (2021). The process involved iterative coding, categorization, and the identification of overarching themes concerning the integration of Maqasid Sharia into PPP planning.

To ensure rigor and reliability, coding was carried out independently by two researchers and cross-checked to resolve discrepancies. Inter-coder reliability was strengthened through regular discussions, while participant validation confirmed the accuracy of the interpretations. A potential limitation of the sampling strategy was the reliance on purposive and snowball techniques, which may introduce selection bias. This was mitigated by recruiting participants across diverse stakeholder categories and aligning the selection with Indonesia's PPP institutional framework. Although the online interview format limited the observation of non-verbal cues, it improved accessibility and enabled participation from geographically dispersed respondents. These limitations should be considered when interpreting the findings.

ANALYSIS AND DISCUSSION

Maqasid Sharia, which represents the fundamental objectives of Sharia, is a vital prerequisite for ensuring Sharia compliance. Its primary purpose is to safeguard the essential necessities of human life, which include:

- a. Hifdz Ad-Din (preservation of religion)
- b. Hifdz An- Nafs (preservation of life)
- c. Hifdz Al-Aql (preservation of intellect)
- d. Hifdz An-Nasb (preservation of progeny)
- e. Hifdz Al-Maal (preservation of wealth)

Based on the insights of 25 experts, the collective view suggests that Maqasid Sharia can be systematically integrated into all components of the planning stage within the solicited PPP mechanism. These components include the identification of PPP projects, the establishment of funding schemes, the preparation of budget plans, public consultation, proposals for inclusion in the PPP plan list, and the final preparation of the PPP plan list. Table 2 summarizes the expert responses from four group perspectives regarding the integration of Maqasid Sharia across the elements of the planning stage.

Table 2: Summary Responses on the Adoption of Maqasid Sharia in the Planning Stage

Code	Represent	Response
A2	Government	“Sharia, as taught by the Prophet Muhammad, is fundamentally grounded in honesty. In my view, this ensures overall alignment. Therefore, I believe that all stages, including the funding scheme, budget planning, public consultations, and the preparation of the plan list, can be integrated. This is certainly feasible.”
A4	Government	“... The five? Do you mean whether all five can be applied to all elements? Yes, they can.”
A16	Business Practices	“In my opinion, the implementation of Maqasid Sharia in PPPs is quite strong, both in the process and in execution. For example, we can observe a tangible relationship in the form of infrastructure. Indeed, in the daily operation of PPP elements, there may be a generation of connections that link religion, life, intellect, and wealth.”
A17	Business Practices	“... The principles of Maqasid Sharia provide a holistic ethical and practical framework that aligns closely with the Planning Stage of the solicited PPP mechanism. By integrating these principles, planners can ensure that PPP projects meet not only economic and technical objectives but also uphold Sharia values, thereby fostering public trust, sustainability, and societal well-being.”
A21	Association	“... If we are discussing Sharia compliance and the principles to be applied, I am confident that they can be adopted. However, the quality of implementation may vary.”
A24	Academia	“In my opinion, Maqasid Sharia can be applied in PPPs, particularly in the aspects of preserving life and wealth, Hifdz Al-Maal, and Hifdz Al-Aql. With regard to Hifdz An-Nafs, this pertains to human life, which is closely linked to the future impact of the project, especially on community well-being.”

Source: Author's Own Creation (2025)

The PPP Sharia Planning Stage constitutes a fundamental component in the implementation of projects that comply with Sharia principles. This stage emphasizes six interconnected sub-themes, each of which is classified within the conceptual framework of Maqasid Sharia to ensure alignment with its overarching objectives of Sharia compliance. These sub-themes correspond to the five dimensions of Maqasid Sharia. The integration of Maqasid Sharia into each stage of the PPP planning process ensures that initiatives not only fulfill technical

and financial requirements but also align with Sharia objectives. Such integration promotes ethical, sustainable, and equitable development.

Sub-Theme 1: Identification of PPP

The identification stage involves determining potential projects that are suitable for PPP implementation while ensuring their compliance with Sharia principles. This stage establishes a fundamental framework for evaluating how proposed projects contribute to public welfare and align with Sharia guidelines.

Category: Maqasid Sharia

Sub-Category:

- a. Hifdz Ad-Din (preservation of religion): Ensuring that project identification is consistent with the ethical standards prescribed by Sharia.
- b. Hifdz An-Nafs (preservation of life): Assessing potential projects based on their impact on societal well-being and public safety.
- c. Hifdz Al-Aql (preservation of intellect): Promoting intellectual development and awareness through a well-informed selection process.
- d. Hifdz An-Nasb (preservation of progeny): Evaluating long-term societal benefits to foster justice and community stability.
- e. Hifdz Al-Maal (preservation of wealth): Promoting economic sustainability and ensuring the equitable distribution of resources.

Sub-Theme 2: Establishment of Funding Scheme

This stage focuses on developing Sharia-compliant financial mechanisms to support the implementation of the PPP initiative. The primary objective is to ensure the exclusion of prohibited elements such as *riba* (usury) and *gharar* (excessive uncertainty) while promoting ethical and transparent financial practices.

Category: Maqasid Sharia

Sub-Category:

- a. Hifdz Ad-Din (preservation of religion): Ensuring strict adherence to Sharia principles in financial structuring.
- b. Hifdz An-Nafs (preservation of life): Facilitating equitable access to financing to strengthen societal well-being.
- c. Hifdz Al-Aql (preservation of intellect): Encouraging ethical financial innovation within the framework of Sharia compliance.
- d. Hifdz An-Nasb (preservation of progeny): Establishing stable and sustainable funding mechanisms to safeguard intergenerational equity.
- e. Hifdz Al-Maal (preservation of wealth): Maintaining financial integrity through transparent, accountable, and responsible funding practices.

Sub-Theme 3: Preparation of Budget Plan

The budget preparation phase involves comprehensive financial planning to ensure the effective allocation of resources in alignment with Sharia principles. This process emphasizes ethical financial management and supports sustainable development outcomes.

Category: Maqasid Sharia

Sub-Category:

- a. Hifdz Ad-Din (preservation of religion): Embedding ethical considerations into budgetary decisions.
- b. Hifdz An-Nafs (preservation of life): Prioritizing expenditures that directly enhance societal well-being.
- c. Hifdz Al-Aql (preservation of intellect): Applying rigorous financial analysis to strengthen project sustainability.
- d. Hifdz An-Nasb (preservation of progeny): Promoting equitable resource distribution to ensure long-term societal stability.
- e. Hifdz Al-Maal (preservation of wealth): Maximizing resource efficiency to avoid waste and reinforce financial accountability.

Sub-Theme 4: Public Consultation

The public consultation process facilitates meaningful community engagement, ensuring that project objectives are aligned with the needs and aspirations of stakeholders. This stage enhances transparency, fosters mutual trust, and promotes inclusive decision-making.

Category: Maqasid Sharia

Sub-Category:

- a. Hifdz Ad-Din (preservation of religion): Ensuring ethical participation and collective decision-making in project development.
- b. Hifdz An-Nafs (preservation of life): Addressing community concerns to strengthen social cohesion and safeguard public welfare.
- c. Hifdz Al-Aql (preservation of intellect): Facilitating informed dialogue to improve project effectiveness.
- d. Hifdz An-Nasb (preservation of progeny): Reinforcing social bonds through inclusive stakeholder engagement.
- e. Hifdz Al-Maal (preservation of wealth): Advancing transparency to cultivate confidence in financial governance.

Sub-Theme 5: Proposal to the PPP Plan List

The submission of projects for inclusion in the PPP Plan List formalizes their consideration, ensuring that they meet eligibility criteria while adhering to Sharia-compliant principles.

Category: Maqasid Sharia

Sub-Category:

- a. Hifdz Ad-Din (preservation of religion): Ensuring compliance with Sharia ethical and legal standards.
- b. Hifdz An-Nafs (preservation of life): Selecting projects that enhance societal well-being and safeguard public interests.
- c. Hifdz Al-Aql (preservation of intellect): Employing evidence-based assessments to support project inclusion.
- d. Hifdz An-Nasb (preservation of progeny): Prioritizing projects that deliver long-term benefits to society.
- e. Hifdz Al-Maal (preservation of wealth): Emphasizing projects with sustainable financial viability and accountability.

Sub-Theme 6: Preparation of PPP Plan List

The preparation of the PPP Plan List involves consolidating selected projects to ensure alignment with both national development priorities and Sharia principles.

Category: Maqasid Sharia

Sub-Category:

- a. Hifdz Ad-Din (preservation of religion): Upholding Sharia values in the prioritization of projects.
- b. Hifdz An-Nafs (preservation of life): Compiling projects that effectively address fundamental societal needs.
- c. Hifdz Al-Aql (preservation of intellect): Applying a rational and evidence-based approach to project selection.
- d. Hifdz An-Nasb (preservation of progeny): Emphasizing long-term societal and generational stability.
- e. Hifdz Al-Maal (preservation of wealth): Ensuring financial prudence and the strategic allocation of resources.

Discussion and Conceptual Framework

The integration of Maqasid Sharia into the PPP planning stage provides a solid conceptual foundation for aligning infrastructure development with Sharia objectives. Nevertheless, its practical implementation presents notable challenges. Project identification and prioritization, for example, often involve competing interests related to economic efficiency, political agendas, and ethical

considerations. This tension raises the risk that Sharia compliance may be subordinated to short-term financial or political objectives. The establishment of Sharia-compliant funding schemes also introduces significant operational complexities. Although the framework emphasizes the exclusion of *riba* and *gharar*, such financing structures remain limited in practice and may not always meet investor expectations in global financial markets. Expanding the availability and understanding of Sharia-compliant instruments therefore requires regulatory support, financial innovation, and capacity building among stakeholders.

Public consultation, another essential element of the framework, faces implementation barriers as well. While designed to enhance inclusivity and transparency, consultations in PPP projects are often reduced to procedural formalities, thereby limiting genuine community participation. Embedding Maqasid Sharia principles in this process would require stronger institutional commitment and governance reforms to ensure meaningful engagement. Moreover, the preparation of budget plans and the consolidation of PPP project lists must reconcile the dual objectives of technical feasibility and Sharia alignment. Although the framework advocates ethical budgeting and intergenerational equity, resource constraints and political pressures may limit adherence to these principles. In the absence of clear monitoring and accountability mechanisms, the integration of Maqasid Sharia risks remaining aspirational rather than transformative.

Taken together, these challenges suggest that while the conceptual framework provides a strong normative direction, its success ultimately depends on the institutional capacity, political commitment, and financial innovation available within Indonesia's PPP ecosystem. Furthermore, the conceptual framework for the adoption of Maqasid Sharia in the PPP Planning Stage is formulated around its overarching theme, supported by sub-themes, categories, and subcategories, as illustrated in Figure 2.

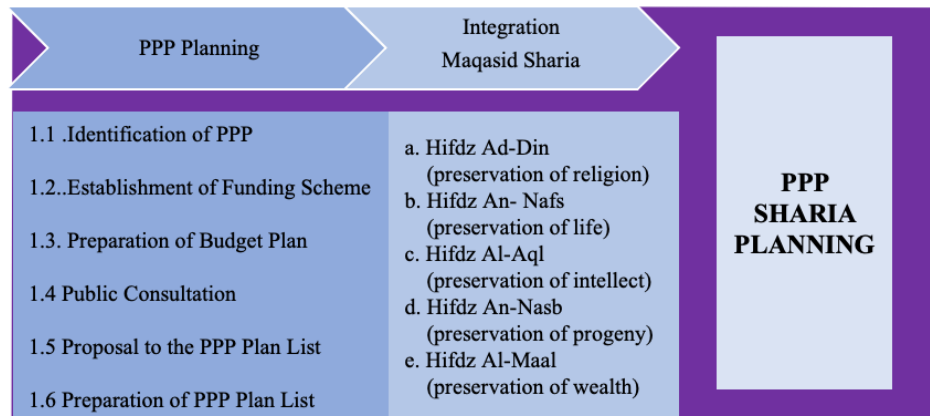


Figure 2: The Conceptual Framework for Adoption of Maqasid Sharia in the PPP Planning Stage

Source: Author's Own Creation (2025)

CONCLUSION

This study demonstrates that the systematic integration of Maqasid Sharia into the planning stage of PPPs provides both a normative framework and practical direction for ensuring Sharia compliance in infrastructure development. Unlike earlier studies on Sharia-compliant PPPs that primarily emphasize financing instruments, this research advances the discourse by embedding Maqasid Sharia principles across all planning components, including project identification, funding schemes, budget preparation, public consultation, and project selection. This comprehensive approach constitutes the study's main contribution, as it illustrates how Sharia objectives can be operationalized throughout the entire planning process rather than being restricted to financial structuring.

The findings carry significant implications for policy and practice. The framework suggests that government institutions such as the Ministry of Finance and the National Development Planning Agency should incorporate explicit Sharia-compliance indicators into project appraisal and budget allocation criteria. In addition, PPP regulatory guidelines could be revised to include Maqasid Sharia as a formal assessment dimension, ensuring that project selection balances technical feasibility, financial sustainability, and ethical considerations. Mechanisms such as Sharia advisory boards within PPP units and structured platforms for public consultation are also recommended to enhance transparency, inclusivity, and accountability.

Beyond Indonesia, the framework provides valuable insights for Muslim-majority countries seeking to integrate Sharia principles into infrastructure development. Although regulatory and institutional contexts may vary, the underlying approach of embedding Maqasid Sharia into planning stages

offers a replicable model. This is particularly relevant where conventional PPP frameworks have faced difficulties in addressing ethical concerns, building public trust, and ensuring intergenerational equity.

Overall, this study contributes to both academic knowledge and policy practice by demonstrating that Maqasid Sharia can serve not only as a theological foundation but also as a practical governance tool. By linking ethical objectives with operational guidelines, the framework presents a pathway toward ethical, sustainable, and socially responsible infrastructure development. Future research should build on these findings by testing and institutionalizing the framework in different PPP contexts, including unsolicited projects and stages beyond planning.

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DISCLOSURE

The authors declare that there is no conflict of interest associated with this research.

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