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LIFE INSURANCE ON THE FLEXI LIFE SYARIAH SITE PERSPECTIVE OF YUSUF QARADHAWI

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ABSTRACT

The Fleexi Lifee Syariah site also provides an important source of information for customers regarding various matters related to sharia life insurance, including an explanation of the sharia principles that underlie teerseebuet's assurance products. With the Fleexi Lifee Syariah website, sharia life insurance companies can expand their service reach, increase affordability, and improve customer experience in an excellent way. One of the scholars who argued for sharia life insurance was Yusuf Qaradawi. So this research needs to be investigated further. This research raises the problem formulation, namely: 1) How is life insurance implemented on the flexi life sharia site? 2) How is life insurance on the flexi life sharia site viewed from Yusuf Qaradawi's perspective?

This research method uses library research. This data analysis technique uses a qualitative descriptive method. The results of this research show that Flexi life protection sharia is a term life insurance product that provides financial protection in the form of insurance compensation benefits for the risk of death up to IDR. 2 billion, without a medical check and providing additional insurance compensation for the risk of death due to an accident. With sharia principles, this product not only provides peace of mind in protecting the soul, but also peace of mind for the family. Yusuf Qaradawi believes that insurance is now in the category of default or broken agreements. If the policy holder pays a certain amount of money in the first period and then suddenly dies, no less than that amount will be returned, however if the policy holder is affiliated with a dealer, then the insurance policy holder will receive the insurance money. If paid during this period, the amount and prizes will be refunded. If the insured is unable to pay for the next period, the money deposited will be lost.

Keywords: Insurance, Flexi Life, Yusuf Qaradawi

ABSTRAK

Situs *Flexi Life* Syariah juga merupakan sumber informasi yang penting bagi nasabah mengenai berbagai hal terkait asuransi jiwa syariah, termasuk penjelasan tentang prinsip-prinsip syariah yang mendasari produk-produk asuransi tersebut. Dengan adanya situs *Flexi Life* Syariah, perusahaan asuransi jiwa syariah dapat memperluas jangkauan layanan mereka, meningkatkan

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keterjangkauan, dan memperbaiki pengalaman nasabah secara keseluruhan. Salah satu ulama yang berargumentasi atas asuransi jiwa syariah yaitu Yusuf Qaradhawi. Maka penelitian ini perlu diteliti lebih lanjut. Penelitian ini mengangkat rumusan masalah yaitu: 1) Bagaimana pelaksanaan asuransi jiwa di situs *flexi life* syariah? 2) Bagaimana asuransi jiwa pada situs *flexi life* syariah ditinjau dari perspektif Yusuf Qaradhawi?. Metode penelitian ini menggunakan *library research.* Teknik analisis data ini menggunakan metode deskriptif kualitatif. Hasil penelitian ini menunjukkan bahwa *Flexi life protection* syariah merupakan produk asuransi jiwa berjangka yang memberikan perlindungan finansial berupa manfaat santunan asuransi atas resiko meninggal dunia hingga Rp. 2 miliyar, tanpa cek medis serta memberikan tambahan santunan asuransi atas resiko meninggal dunia karena kecelakaan. Dengan prinsip syariah, produk ini tidak hanya memberikan ketenangan dalam perlindungan jiwa, namun juga ketentraman hati bagi keluarga. Yusuf Qaradhawi menilai asuransi kini masuk dalam kategori wanprestasi atau perjanjian yang rusak. Jika pemegang polis membayar sejumlah uang tertentu pada periode pertama dan kemudian tiba-tiba meninggal dunia, maka tidak kurang dari jumlah tersebut akan dikembalikan, namun jika pemegang polis berafiliasi dengan dealer, maka pemegang polis asuransi akan menerima uang asuransi. Jika dibayar selama periode ini, jumlah dan hadiah akan dikembalikan. Jika tertanggung tidak mampu membayar periode berikutnya, maka uang yang disetor akan hilang.
Kata Kunci : ***Asuransi, Flexi Life, Yusuf Qordhawi***

A. INTRODUCTION

Islamic life insurance is a relevant topic in the context of the development of the Islamic financial industry. Studying this topic can also be an important step in career development in the field of Islamic finance, providing a deeper understanding of how Sharia concepts are applied in modern financial products. Evaluating Flexi Life Syariah life insurance products from a Sharia perspective is important to ensure that these products meet the principles and comply with Islamic law. Every human is aware that this world is full of uncertainty, except for death, but death still comes with uncertainty. When uncertainty poses risks (loss) for stakeholders. Risks include fire, damage, accidents, theft, fraud, deceit, and embezzlement, which can result in significant losses. One way to bear the risks experienced is by setting aside half of one's wealth to cover future uncertain needs. No one can know when a disaster will strike[1]. In life, people always want everything they do to go smoothly, whether it's business, travel, education for children, or health, but not everything planned always becomes a reality. In some cases, there are events that cannot be avoided by humans, such as natural disasters. The possibility of experiencing loss is referred to as risk. This risk can affect oneself in the form of death, illness, or loss of property, such as fire, accidents, or stolen belongings. These are all risks that humans constantly face, and as civilization advances and human thinking evolves, the impact of these risks can lead to losses and suffering for those who experience them.

Life insurance is a form of cooperation between people who wish to reduce or avoid risks in the future, and if an accident occurs, it is highly unlikely that anyone knows what will happen in the future. Therefore, to reduce the risks that may arise from such events, the community enters

[1] Muhammad, "Bank & Lembaga Keuangan Syariah Lainnya", (Yogyakarta, Rajawali Pers, 2019), 197.

into a 'mutual' insurance contract. This means that each party has rights and obligations to carry it out. According to Law Number 40 of 2014 concerning insurance, replace Law Number 2 of 1992 concerning insurance business. In article 1 point (6) it is stated that life insurance is a risk mitigation service that provides payments to policyholders, the insured or other entitled parties in the event of the insured passing away or remaining alive, or other payments to policyholders, the insured or other entitled parties at a certain time regulated in the agreement, and the amount has been determined and/or based on the results of fund management[2].

The Qur'an does not directly refer to the practice of insurance as it exists today, because there is no term for insurance or al-*ta'min* explicitly mentioned in the text. However, the fundamental values underlying the practice of insurance can be found in the verses of the Qur'an. For example, the concepts of helping one another, cooperation, and the spirit of protecting oneself from future risks can be identified as values reflected in the sacred text. Although it does not directly discuss insurance, such verses provide a moral foundation for practices aimed at providing financial protection and assistance in facing risks and losses. One verse that reflects these values is found in QS. al-Maidah (5): 2[3]:

يٰٓاَيُّهَا الَّذِيْنَ اٰمَنُوْا لَا تُحِلُّوْا شَعَاۤىِٕرَ اللّٰهِ وَلَا الشَّهْرَ الْحَرَامَ وَلَا الْهَدْيَ وَلَا الْقَلَاۤىِٕدَ وَلَآ اٰۤمِّيْنَ الْبَيْتَ الْحَرَامَ يَبْتَغُوْنَ
فَضْلًا مِّنْ رَّبِّهِمْ وَرِضْوَانًاۗ وَاِذَا حَلَلْتُمْ فَاصْطَادُوْاۗ وَلَا يَجْرِمَنَّكُمْ شَنَاٰنُ قَوْمٍ اَنْ صَدُّوْكُمْ عَنِ الْمَسْجِدِ الْحَرَامِ اَنْ
تَعْتَدُوْۘا وَتَعَاوَنُوْا عَلَى الْبِرِّ وَالتَّقْوٰىۖ وَلَا تَعَاوَنُوْا عَلَى الْاِثْمِ وَالْعُدْوَانِۖ وَاتَّقُوا اللّٰهَ ۗاِنَّ اللّٰهَ شَدِيْدُ الْعِقَابِ ۝٢

Meaning: "*O you who have believed, do not violate the sanctity of the symbols of Allah, nor the sacred months, nor the sacrificial animals, nor those with garlands, and do not harm those who are visiting the Sacred House, seeking the bounty and pleasure of their Lord! And when you have come out of Ihram, you may hunt (if you wish). And do not let the hatred of a people prevent you from being just. Be just; that is nearer to righteousness. And cooperate in righteousness and piety, but do not cooperate in sin and aggression. And fear Allah; indeed, Allah is severe in penalty.*"

The verse emphasizes the importance of helping one another among fellow humans. In the context of the insurance business, this value is reflected through the practices of readiness among members or customers of the insurance company to set aside a portion of their funds as social contributions (*tabarru*). This social fund is kept in the form of a *tabarru* account at the insurance company and is used to assist fellow members or customers who are experiencing disasters or risks. In addition to this verse, there are also other verses in the Qur'an and the teachings of the Prophet Muhammad that reinforce the values of insurance, providing a moral foundation for practices aimed at helping and protecting each other in facing risks and financial difficulties.

B. RESEARCH METHOD

This research method is designed to ensure that the analysis is carried out systematically and thoroughly, with clear steps from the beginning to the final results that approach the truth and can be accepted by the scientific community. This research method is utilized to ensure

[2] Wetria Fauzi, "Hukum Asuransi di Indonesia", (Padang, Andalas University Press, 2019).

[3] Departemen Agama Republik Indonesia, "Al-Qur'an Dan Terjemah", Surah Al-Ma'idah ayat 2, 2019.

consistency and accuracy in the arrangement of scientific works. This research method is considered an effective guideline in conducting analysis and writing scientific works[4].

This research method uses library research, which is conducted using literature (bibliography) in the form of books, notes, or reports from previous research[5]. This type of data uses qualitative data. Qualitative data is a type of data that is descriptive and focuses more on the interpretation and understanding of the subjects being studied. This approach adopts a deductive logic, where conclusions are drawn from general principles that have been proven true, then applied to more specific cases. This research method refers to the legal norms stated in regulations and court decisions.[6] Legal materials that serve to support and complement existing legal materials. In this study, a literature review taken from various disciplines is used to strengthen the analysis of the issues being researched. The data sources in this study are secondary data sources, including the work of Yusuf Qaradhawi entitled Halal and Haram in Islam and the book Sharia Insurance in Indonesia. In addition, several other sources that are referenced in this study include books discussing life insurance and relevant scientific journals on the topic of life insurance, and it employs library research methods. The library research method is research conducted using literature (library), whether in the form of books, notes, or reports of prior research. The library research method involves reading books and magazines in libraries and using additional data sources to support the research. This approach allows you to collect data from various sources, including but not limited to books, articles, journals, and documentation in various formats[7].

Based on the data that has been collected, this technique uses qualitative descriptive methods. The research method that utilizes qualitative data and is analyzed descriptively is descriptive qualitative data analysis. This method is often used to describe and understand social phenomena, events, or situations in a detailed and in-depth manner. In descriptive qualitative data analysis, the researcher focuses on describing and understanding the data in its original context. Content Analysis. This method is used to analyze the meanings associated with the thoughts of Yusuf Qaradhawi regarding life insurance in the context of Flexi Life Sharia, including the ideas or concepts conveyed, the background, and the reasons behind the presentation of these ideas. Descriptive Analysis, where the issues being discussed are elaborated in detail regarding the intricate aspects of the thoughts of related figures[8].

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[4] Suharsimi Arikunto, "*Prosedur Penelitian Suatu Pendekatan Praktek*", cet. ke-15, (Jakarta:Rineka Cipta, 2013), 121.

[5] Samiaji Sarosa, *penelitian Kualitatif,* (Jakarta: Indeks, 2012), 7.
[6] Samiaji Sarosa, *Penelitian Kualitatif*, (Jakartan: Indeks, 2012), 7.
[7] Ahmad Tanzeh dan Suyitno, "*Dasar-dasar Penelitian*", (Surabaya: Elkaf, 2006).
[8] Ahmad Tanzeh dan Suyitno, "*Dasar-dasar Penelitian*", 116.

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C. DISCUSSION

Implementation of Life Insurance at the Flexi Life Sharia Site

Flexi life protection sharia is a term life insurance product that provides financial protection in the form of a death benefit up to Rp. 2 billion, without medical checks, and also provides additional insurance benefits for death due to accidents. With sharia principles, this product not only offers peace of mind in life protection but also tranquility for the family.

1. The mechanism for applying for insurance in Flexi Life Sharia is as follows[9]:
   a. Fill in the e-SPAJ (Life Insurance Request Letter) with our Marketing Staff or through the website ilovelife.co.id and complete the required documents and pay the first contribution.
   b. The risk selection process using the 'Simplified Issue Offer' method. The Simplified Issue Offer policy takes effect after the premium has been fully paid, without prior examination of the condition of the insured object. [10].
   c. The policy will be sent if the contribution has been received and the insurance application has been approved by us.
2. In addition, the claim submission mechanism on the Flexi Life Sharia site is as follows:
   a. Fill out the claim form that can be obtained by contacting us or downloaded from www.astralife.co.id and send it to our headquarters along with the required documents within a maximum of 90 days from the date of death of the insured participant.
   b. b. The insurance benefits claim process occurs after the documents have been received completely and correctly.
   c. The insurance benefits will be paid in accordance with the policy provisions within a maximum of 30 days after the claim is approved.
3. The documents to be prepared for submitting a claim on the Flexi Life Sharia site are as follows:[11]
   a. An original death claim form that has been filled out truthfully and completely and signed by the beneficiary.
   b. An original death claim statement from a doctor filled out by the examining doctor.
   c. An original policy.

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[9] Astra Life Syariah, "Ringkasan Informasi Produk dan Layanan (RIPLAY) Umum Flexi Life Syariah", diakses 13 september 2024, https://www.astralife.co.id/wp-content/uploads/2023/03/Riplay-Umum-Flexi-Life-Syariah-020122-r1.pdf.

[10] Surat Edaran Otoritas Jasa Keuangan No. /SEOJK.05/2016 tentang Produk Dan Pemasaran Produk Asuransi Mikro, 4.

[11] Astra Life Syariah, "Ringkasan Informasi Produk dan Layanan (RIPLAY) Umum Flexi Life Syariah", diakses 13 september 2024, https://www.astralife.co.id/wp-content/uploads/2023/03/Riplay-Umum-Flexi-Life-Syariah-020122-r1.pdf.

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d. A photocopy of the identity and supporting documents regarding the relationship between the policyholder of the insured participant and/or the currently valid beneficiary.
e. An original, legalized, or photocopied (if already using a barcode); a death certificate issued by the relevant authorities.
f. A photocopy of the page with the savings book that states the account number of the beneficiary.
g. An original statement of waiver of the claim payment request for the death benefit (disclaimer of the death benefit); and
h. An original police report or its legalization issued by the relevant authority in case of death due to an accident or other unnatural causes.

4. Product Risks

The product risks associated with Flexi Life Sharia are as follows[12]:

a. Risk of Claim Failure

The risk is related to the condition where the administrator does not approve and does not pay the claims submitted based on the terms of the Policy.

b. Risk of Inactive Policy (lapse)

The risk is related to the condition where the Policy becomes inactive (lapse) because the policyholder fails to pay the Contribution on time, causing the Policy to terminate. Therefore, the administrator is exempt from the obligation to pay insurance benefits, and contributions that have already been paid (if any) cannot be refunded.

c. Risk of Policy Change Denial

Denial The risk related to the condition where the administrator rejects the application for a change of Policy by the Policyholder based on the terms of the Policy.

5. The following are the conditions under which insurance claims cannot be made on the Flexi Life Sharia website:
   a. Death

   The insurer will not pay the claim for Insurance Benefits if the insured participant passes away, which is directly or indirectly caused, in whole or in part, by one or more of the following conditions:
   1) The existence of any illegal acts or attempted criminal actions directly or indirectly committed by the policyholder, the insured participant, and/or the beneficiary; or
   2) Suicide or attempted suicide, whether in a conscious or unconscious state.

   b. Death due to an accident.

[12] Astra Life Syariah, "Ringkasan Informasi Produk dan Layanan (RIPLAY) Umum Flexi Life Syariah", diakses 13 september 2024, https://www.astralife.co.id/wp-content/uploads/2023/03/Riplay-Umum-Flexi-Life-Syariah-020122-r1.pdf.

The manager will not pay the insurance compensation claims if the insured participant dies as a result of an accident that is directly or indirectly caused, wholly or partly, by one or more of the following conditions[13];

1) Participating in warfare (whether declared or not), conditions akin to war, occupation, movements of unrest, rebellion, power grabs, strikes, riots, disturbances, criminal acts, and activities that violate the law;
2) Engaging in high-risk sports or activities, including but not limited to racing (except running races), winter sports, horseback riding, climbing, aerial sports, activities such as flying, contact sports, or water sports (except sailing in a non-motorized boat and swimming);
3) Participating in flights not as a passenger on a commercial flight with a fixed schedule.
4) Intentional self-harm (including injuries sustained because the insured participant did not follow medical recommendations), suicide, or attempted suicide, whether conscious or not; or
5) Consuming alcohol or abusing drugs, narcotics, or other prohibited substances

6. Contracts Used in Flexi Life Sharia
   1) Tabarru' Contract
      The *Tabarru'* contract is the contract used in Flexi Life Sharia, in which participants contribute funds that will be used to help other participants who experience calamities. This fund is managed collectively for the benefit of all participants, reflecting a spirit of mutual cooperation and solidarity.
   2) Wakalah bil Ujrah Contract
      This contract allows the insurance company to act as an agent for the participants in managing their funds, in exchange for a fee (*ujrah*). This provides assurance that the participants' funds are managed by professionals who adhere to Sharia rules.[14].
   3) *Qardh* Agreement
      A loan of funds from the manager to the *Tabarru'* Fund without any excess upon repayment, to address the insufficiency of the *Tabarru'* Fund to pay Insurance Benefits to the Beneficiary.
7. Features and Benefits of Flexi Life Shariah
   Flexi Life Shariah offers a high level of flexibility in terms of premiums and benefits. Participants can adjust the amount of premiums and benefits according to their needs and financial capabilities. This allows participants to have optimal

[13] Astra Life Syariah, "Ringkasan Informasi Produk dan Layanan (RIPLAY) Umum Flexi Life Syariah", diakses 13 september 2024, https://www.astralife.co.id/wp-content/uploads/2023/03/Riplay-Umum-Flexi-Life-Syariah-020122-r1.pdf.

[14] Astra Life Syariah, "Ringkasan Informasi Produk dan Layanan (RIPLAY) Umum Flexi Life Syariah", diakses 13 september 2024, https://www.astralife.co.id/wp-content/uploads/2023/03/Riplay-Umum-Flexi-Life-Syariah-020122-r1.pdf.

protection without being burdened by premiums that do not match their conditions [15]. This product provides various types of coverage, including death benefits given to the heirs if the participant passes away, as well as permanent disability benefits if the participant suffers from an accident or condition that causes permanent disability.

Flexi Life Syariah ensures that all fund management is conducted transparently. Participants have access to know how their funds are managed, including information regarding investment allocation and the use of *tabarru'* funds. All participants are treated fairly, without discrimination, and all transactions are conducted with full transparency. This principle ensures that the rights of participants are respected and protected in accordance with Islamic teachings[16].

Life Insurance on the Flexi Life Sharia Website According to Yusuf Qaradhawi

Yusuf Qaradhawi's Opinion on Insurance. In line with the growth of Islamic law, it shows that the influence of the social and cultural customs of society on the formation of Islamic law is very strong, as seen in the outcomes of the *ijtihad* of the imams of the schools of thought. The influence of customs in legal life is not something to be concerned about. Because laws derived from customs, in principle, contain a dynamic process of rejection of the bad and acceptance of the good according to the objective needs of society[17]. The issue becomes serious when the growth of a community's customs is absolutely contradictory to the law. Islamic law accommodates the customs of a society as a source of law as long as that tradition does not contradict the texts of the *Quran* or the *Sunnah*. According to the majority of *ushul* scholars, the verses of the *Quran* and Hadith are limited.

The number of issues faced by society always arises, and answers are not always found in scripture. Therefore, scholars then perform *Ijtihad* to discover the truth.

The discussion of insurance within the realm of Islamic studies only emerged during the phase of contemporary scholars. One of them is Yusuf Qaradawi. As it is known, Yusuf al-Qaradawi discusses insurance in his book *al-Halal wa al-Haram fi al-Islam*, which he authored. However, since this book contains very fundamental legal studies needed by Muslims anywhere and anytime, it is frequently referenced. Among the new forms of *mu'amalah* is what is called insurance. Some relate to life issues, known as life insurance, and there is also insurance as a guarantee in case of accidents.[18].

To create insurance that complies with Islamic law, according to Al-Qardhawi, accident insurance transactions can be transformed into a transaction that aligns closely with Islamic principles, namely in the form of donations to receive compensation. Specifically, a customer deposits a certain amount of funds, with the intention that they receive compensation in the event of a calamity. If the insurance is modified in this way and the managing company is also free from usury, then its ruling becomes permissible. As for life

[15] Fleksibilitas Premi dalam Asuransi Syariah,"* diakses 30 Agustus 2024, dari https://www.asuransi-syariah.com.

[16] Mansur, Muhammad. "Transparansi dalam Pengelolaan Dana Asuransi Syariah," Jurnal Akuntansi Syariah, vol. 8, No. 1 (2020), 45-56.

[17] Muhammad Syafi'i Antonio, "*Bank Syariah: Wacana Ulama & Cendekiawan*", (Jakarta : BI dan Tazkia Institute, 1999), 173.

[18]Yusuf Qaradhawi, "*Halal dan Haram*", (Bandung: Penerbit Jabal, 2020), 238.

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insurance, according to him, this type of insurance is truly far from transactions that are sanctioned by Islam[19].

Accident insurance, where a member pays a certain amount of money (200 million rupiah, for example) every year. If they manage to avoid an accident, then the guaranteed money is lost (in trade, companies, ships, or others), while the owner of the company will take control of that money and will not return any amount to the insurance member. However, if an accident occurs, the company will pay an agreed amount of money. This type of business is entirely far from the character of trading and solidarity in association.

Life insurance, if the insured member pays an amount of 200 million, for example, in the first period and then suddenly passes away, they will receive a full return of that amount, not less than one cent. But if they are involved in a partnership in trade, then they will receive a return of the amount deposited in that period, plus their profit[20].

Then, if he betrays the company and can no longer pay for the subsequent periods while he has already partially paid, then the amount of money that he deposited, or a large part of it, will be lost. This can at least be said: a broken contract. And the reason that there has been mutual consent between both parties and both have recognized its benefits is not substantial. Because between the use of usury and those who provide it, there is also mutual consent, just as both gamblers have consented. However, because of that consent, it is not considered a valid reason for the legality of that act, as long as this transaction does not firmly uphold the principles of justice that are not mixed with deception and oppression, and the dispossession by one party against another, while justice and avoiding mutual harm are fundamental.

If we have not yet obtained clarity from any aspect that the relationship between insurance members and the company is akin to the relationship between members of a partnership with other members, then what is the nature of the relationship between the two now. Is it a relationship of brotherhood. If so, then this institution is considered a social institution established based on shares from individuals who wish to contribute a certain amount of money for the purpose of mutual assistance. However, in order for there to be good cooperation among all members, in order to provide assistance to parties affected by a disaster, the funds collected to realize this intended goal require several conditions as follows:

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[19] Yusuf Al- Qardhawi, Al-Halal wa al-Haram fi al-Islam, 365.

[20] Yusuf Al-Qardhawi," *Fatwa-fatwa Kontemporer*, Jilid 1, Terj. As'ad Yasin", (Jakarta: Gema Insani Press, 2001), 960.

1. Every member who deposits their money according to the specified amount must do so with the intention of helping in upholding the principle of brotherhood. Then, from the collected funds, a certain amount should be taken to assist those in great need.[21].
2. If the money is to be circulated, it must be done according to Islamic law.
3. It is not permissible for someone to deposit a small amount of money with the intention of receiving a multiplied return in the event of a disaster. However, they will be compensated from the group's funds as a replacement for their losses or similar provisions allowed by the group.
4. Donations (*tabarru'*) are the same as gifts (giving). Therefore, it is unlawful to retract them. If an event occurs, it must be resolved according to syara'.

These conditions will not apply except as practiced by some cooperatives and social institutions that are common among us today, where one pays each month with the intention of tabarru' (donation); they cannot withdraw their money, and the amount of aid is not determined if a disaster occurs. As for insurance, especially life insurance, these requirements cannot be applied at all. Because:

1. All insurance members do not pay their money with the intention of *tabarru'*, even if this intention does not cross their minds at all.
2. Insurance companies invest their money through usury, while no Muslim is allowed to partner in usurious activities. And this has been agreed upon by both those who are strict and those who are lenient on this issue.
3. Insurance members take from the company after the specified time has passed, an amount of money that has been paid in, plus additional; is this not equivalent to *riba'*.

The contrast of insurance with the meaning of social assistance is that insurance gives more to the rich than to the poor, because those who can afford to pay a larger amount of insurance will receive a larger share when they die due to a disaster. Meanwhile, social assistance is designed to give more to those who are unable. Anyone who wishes to withdraw their money will incur significant losses. This reduction cannot be justified at all in the view of Islamic law. Accident insurance, in my opinion, may also be adjusted to comply with Islam, in the form of[22]:

1. Contributions with compensation, for example, an insurance member pays money to the company on the condition that he will be given a reward of some money in the event of a disaster, as assistance to alleviate his suffering.
2. This form of insurance is justified in the view of some Islamic schools of thought. If the insurance can be adjusted as mentioned, and the company operating it is completely free from usurious practices, it can be said to be permissible.

As for life insurance in its current form, as mentioned above, in my opinion, it is entirely far from the guidance of Islamic law. If we understand that Islam cannot accept the current model of insurance with all its existing activities, this does not mean that Islam

[21]Yusuf Al-Qardhawi,"*Perjalanan Hidup* 1, Terj. Cecep Taufikurrahman dan Nandang Burhanuddin", (Jakarta: Pustaka al-Kautsar, 2003), 9.

[22] Yusuf Qaradhawi, "*Halal dan Haram*", (Bandung: Penerbit Jabal, 2020), 239-240.

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opposes the concept of insurance. Absolutely not. What Islam opposes are certain principles and methods. However, if there are other methods that do not conflict with Islamic law, then surely Islam will welcome them positively. Islamic regulations have guaranteed their community and those under the protection of an Islamic government in their own unique ways, in all its regulations and guidance. Sometimes this guarantee comes through the solidarity of the community members themselves, and at other times through the government and the institution of Baitul-Maal[23].

Insurance, in general, is for everyone who is under the governance of Islam. In Islamic law, there is a guarantee and ways to channel it to someone who is experiencing a disaster. In addition, there is also a guarantee for the heirs due to the death of a family member, as stated by the Prophet Muhammad (peace be upon him): "I have more right to manage every Muslim than he does himself; whoever leaves wealth, that wealth is for his heirs, and whoever leaves debts or bankruptcy, then it is for me and becomes my responsibility." (Narrated by Bukhari and Muslim).

Islam's guarantee to its followers is what is called the special portion for those in debt (*gharimin*) in the distribution of *zakat*. Meanwhile, some interpreters among the scholars of the *Salaf* interpret the word *gharimin* as: people whose homes have burned down, or whose property has been swept away by floods, and so on. Meanwhile, some jurists also believe that in such circumstances, they may receive assistance from *zakat* funds, equivalent to the amount of property they have suffered, even if it is in the thousands.

Among the new forms of transactions is what is called insurance. This relates to matters of life, known as insurance, as a guarantee in case of an accident. Accident insurance means a member pays an amount of Rp. 5,000,000.00 (five million rupiah) each year. If they manage to avoid an accident, then that guarantees money is lost (trade, company, ship, or others). Meanwhile, the owner of the company will control that amount of money and will not return any to the insurance member. However, if an accident occurs, the company will pay the agreed-upon amount.

Such an endeavor is completely far from the character of trade and solidarity in association. In life insurance, if a member pays an amount of $2,000.00, for example, in the first period and then suddenly passes away, they will receive a full refund of that amount, not a penny less. However, if they become a partner in a trading business, then they would receive a return of the amount deposited during that period plus their profit[24].

Then, if he betrays the Company and can no longer pay for the following periods, while he has already paid part of it, most of the deposited money will be lost. This practice can be considered a broken agreement. The reason stated that because there is mutual consent between both parties and both are aware of its benefits is unfounded.

Between the use of usury and those who provide it, there has been a mutual concession, as well as the two gamblers who have conceded. However, because this concession is not

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[23] Yusuf Al-Qardhawi, "*Fatwa-fatwa Kontemporer*, Jilid 1, Terj. As'ad Yasin", Jakarta: Gema Insani Press, 2001, 32.

[24] Yusuf Qaradhawi, "*Halal dan Haram*", (Bandung: Penerbit Jabal, 2020), 246.

considered a justification for the permissibility of such actions, as long as this transaction does not uphold the principles of justice with duties that are free from deception and oppression, and the confiscation by one party against another. Meanwhile, justice and non-harm are its foundational principles. There should be no harm, and no one should be harmed[25].

In the view of Islam, life insurance is a form of new muamalah that has developed along with the modern society's need for financial protection. Yusuf Qaradhawi, in his book Halal and Haram in Islam, explains that the main principle in *muamalah* transactions is justice, with no deception and no elements of exploitation between the parties involved. Qaradhawi firmly rejects conventional forms of insurance that contain elements of *riba* (usury), *gharar* (uncertainty), and *maysir* (gambling), as they are considered inconsistent with sharia principles.

According to Qaradhawi, in conventional insurance, if a participant does not experience any risk, the premium money that has been paid will be forfeited without any return. Conversely, if a participant experiences a risk, the company will pay the insurance claim, but the amount of the claim is often not proportional to the actual loss. Furthermore, if a participant dies before fulfilling all premium payment obligations, part of the money that has been deposited will be lost. This practice is considered unfair as it does not provide balanced benefits to participants. Qaradhawi emphasizes that the solution to this problem is to develop a sharia-based insurance system grounded in the principle of *ta'awun* (mutual assistance), where the funds collected are used to help other participants in need, without involving elements of *riba*, *gharar*, or *maysir*.[26]

Flexi Life Syariah, as one of the Sharia-based life insurance products, uses the principles of *tabarru'* (charitable fund) and *mudharabah* (profit sharing) to ensure that all transactions conducted are in accordance with Islamic law. The principle of *tabarru'* reflects the spirit of solidarity and mutual assistance supported by Yusuf Qaradhawi. This fund is collected from the contributions of participants and is used to help other participants who experience calamities. In addition, Flexi Life Syariah upholds justice and transparency.

According to Yusuf Qaradhawi, the principle of solidarity (*ta'awun*) in Islamic economics is manifested through the *tabarru'* contract, where participants voluntarily set aside part of their funds to assist others who are experiencing hardships. This is in line with Islamic social values that emphasize the importance of togetherness in facing life's risks. In the context of Flexi Life Syariah, the *tabarru'* funds are collected from participants' contributions and managed transparently, so that all participants understand how the funds are used to provide benefits to those in need.

In addition, the concepts of justice and transparency in Islamic insurance also remain a primary concern for Yusuf Qaradhawi. He emphasizes that every financial transaction in Islam must be free from elements of *gharar* (uncertainty), *riba* (interest), and *maisir* (speculation). Therefore, in the management of Flexi Life Sharia, all funds collected are not

[25] Yusuf Qaradhawi, "*Halal dan Haram*", (Bandung: Penerbit Jabal, 2020), 246.
[26] Yusuf Qaradhawi, Halal dan Haram dalam Islam (Bandung: Penerbit Jabal, 2020), 246.

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only used for charitable purposes but also invested in sectors that are halal and do not contradict Sharia principles. Each participant is provided with clear information regarding fund allocation, investment schemes, and profit distribution, ensuring that there is no element of uncertainty or ambiguity in the management of their funds.

The principle of justice emphasized by Yusuf Qaradhawi in the Islamic financial system is also reflected in the mechanism of Flexi Life Sharia. This insurance not only provides financial protection to participants but also ensures that all agreements used do not harm any party. Thus, this insurance product serves as a financial instrument that not only benefits individuals but also builds collective welfare based on Islamic values.

With the principles of *tabarru'*, solidarity, justice, and transparency as explained by Yusuf Qaradhawi, Flexi Life Sharia not only serves as a financial protection instrument, but also plays a role in creating a more just economic system. With this mechanism, participants not only benefit from insurance but also contribute to helping others, making the concept of Sharia insurance an inclusive economic solution of Islam that is oriented towards social welfare.

Thus, Flexi Life Syariah can be an alternative solution for Muslims who need financial protection without violating the Sharia, while adhering to the principles of justice, solidarity, and transparency that have been established in Islam. Yusuf Qaradhawi emphasizes that justice and the absence of harm or exploitation are key elements in any transaction that complies with Sharia. However, Yusuf Qaradhawi also reminds that even if an insurance product is labeled as Sharia-compliant, it must be ensured that its implementation does not deviate from the fundamental principles of Sharia. If there is injustice in the management of funds or if there are elements of exploitation against participants, then the product is no longer in accordance with Islamic principles.[27]

[27] Yusuf Qaradhawi, Halal dan Haram dalam Islam (Bandung: Penerbit Jabal, 2020), 246.

D. CONCLUSION

Flexi life protection syariah is a term life insurance product that provides financial protection in the form of insurance benefits for the risk of death up to Rp. 2 billion, without a medical check-up, and also provides additional insurance benefits for the risk of death due to accidents. With the principles of sharia, this product not only offers peace of mind in life protection but also tranquility for the family. Yusuf Qaradhawi assesses that insurance now falls into the category of default or a broken agreement. If the policyholder pays a certain amount during the first period and then suddenly passes away, no less than that amount will be returned; however, if the policyholder is affiliated with a dealer, then the policyholder will receive the insurance money. If paid during this period, the amount and bonuses will be refunded. If the insured is unable to pay for the following period, the deposited money will be lost. Yusuf Qaradhawi's views on life insurance in Sharia Flexi Life are in line with Yusuf Qaradhawi's thinking as they are in accordance with Sharia and Islamic law. The contracts used in Sharia Flexi Life are the *Tabarru'* contract, the *Wakalah bil Ujrah* contract, and the *Qardh* akad

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