

Potret Pemikiran

Phone: 0431-860616

Fax: 0431-850774

Email: jurnal.potretpemikiran@iain-manado.ac.id

Journal homepage: <https://journal.iain-manado.ac.id/index.php/PP>



Mosque Fundraising Phenomenon (*Mall-Amal*) on Bangkalan Highway: Between Religious and Social Norms

M. Yasa Azmil Falah^{1*}, Krismono², Abdul Hakim³

^{1,2}Universitas Islam Indonesia (UII) Yogyakarta, Indonesia

²University of Malaya, Malaysia

*Corresponden E-mail: 20421142@students.uii.ac.id

ABSTRACT

The phenomenon of mosque fundraising on highways represents an established social practice in Indonesian society, particularly in Bangkalan Regency. This practice creates a unique dynamic between religious legitimacy and social norms that warrants comprehensive examination. This study aims to analyze the practice of mosque fundraising on Bangkalan Regency highways from the perspective of Islamic legal sociology, focusing on the interaction between religious and social norms that shape this practice. Employing a qualitative approach with field research methods, data were collected through in-depth interviews, observation, and documentation. The findings indicate that mosque fundraising practices on highways receive support from local religious leaders despite contradicting the Indonesian Ulema Council (MUI) fatwa. This support creates strong social acceptance, making it an integral part of local tradition that is difficult to modify. However, this practice raises challenges related to road user safety and trustworthy fund management. It can be concluded that the practice of mosque fundraising on Bangkalan Regency highways is formed through complex interactions between religious and social norms that mutually legitimize each other. Better management is needed to avoid negative impacts on society and increase awareness of public safety.

© 2024 Potret Pemikiran IAIN Manado

ARTICLE INFO

Article History:

Submitted/Received 1 Nov 2024

First Revised 26 Dec 2024

Accepted 26 Dec 2024

Publication Date 31 Dec 2024

Keyword:

Mosque fundraising,
Islamic legal sociology,
religious norms,
social legitimacy,
Bangkalan Regency.

How to cite:

Falah, M. Y. A., Krismono, & Hakim, A. (2024). Mosque Fundraising Phenomenon (*Mall-Amal*) on Bangkalan Highway: Between Religious and Social Norms. *Potret Pemikiran*, 28(2), 254–269.

<https://doi.org/10.30984/pp.v28i2.3263>



All publications by Potret Pemikiran are licensed under a Creative Commons Attribution-NonCommercial-ShareAlike 4.0 International License.

1. INTRODUCTION

Lately, Indonesian Muslim communities, especially in Java and Madura, have shown excessive enthusiasm in building or renovating mosques. They proudly displayed the mosque building as a symbol of religious devotion (Basri, 2022). Perhaps in their view, the quantity of mosques can be considered as the standard of quality of religious practice among Muslims in this country. Launching various media reports, Jusuf Kala, Chairman of the Indonesian Mosque Council (DMI) said that the number of mosques spread across Indonesia has exceeded 800,000. This figure is significantly higher than the number of mosques in Saudi Arabia (Isnawati et al., 2024).

In the process of building or renovating a mosque, large funds are definitely needed. This is a challenge for mosques with poor governance and management (Utama et al., 2018). So far, there are several sources of mosque income funds that are commonly used, ranging from charity box infaks, alms and zakat funds, waqf, donor donations, to donations from government agencies and private institutions (Falah et al., 2023). However, this source of funds is sometimes not very optimal due to external factors such as the location of the mosque located in poverty-prone areas and the lack of public trust, as well as internal factors such as the inability of fund management and financial administration of the mosque.

At this point, some people are in a dilemma. Whether the construction of the mosque is postponed while waiting for assistance from donors and the results of the submission of fund proposals, or the construction process continues by taking steps that are considered more practical and efficient (Antoniou, 2025; Brader et al., 2006). People seem to tend to make efforts that are considered effective and efficient without seeing the consequences both legally and socially (Morgan, 2023). When mosques become a necessity and are hit by minimal funding, the idea of raising funds on the highway becomes an alternative (Emha et al., 2022; Hijeat & Al-Bazzaz, 2023). This is evidenced by the phenomenon in several regions, the way taken to overcome the problem of financial deficit in the construction or renovation of mosques is generally carried out by holding fundraisers on the highway. This phenomenon in the life of the Madura people is known as *mal-amal*.

In 2023, at least twelve mosque fundraising points were established along the main Bangkalan-Sampang Regency Road. Through direct observation on May 12, 2024, the author discovered additional fundraising points across various locations: four points each on Jl. Raya Blega, Jl. Raya Galis, and Jl. Raya Poter. Furthermore, six points were identified along the southern coastal road route, and four points were found on Jl. Raya Blega-Kedungdung. These numbers indicate a significant increase from the previous year, not including potential new points that may have been established this year.

As this traditional practice of *mal-amal* became more established in Madurese society, its presence grew particularly visible along the major roads of Bangkalan Regency, transforming highways into prominent venues for mosque fundraising activities. The phenomenon has evolved from sporadic fundraising efforts into an

organized network of collection points spread across various strategic locations throughout the regency.

The practice of collecting mosque donations on the Bangkalan highway basically raises its own problems, both in terms of legal and social legality. Studies on the practice of collecting mosque donations on highways generally highlight from one specific aspect. For example, from the aspect of legal legality as done by Emha et al. (2022), or from the social aspect as done by Holis (2017) and Pepriyana et al. (2024).

Unlike previous studies that tend to use a single approach, this research takes an innovative step by integrating two interrelated and complementary perspectives, namely the legality perspective and the social perspective. The legality perspective focuses on an in-depth analysis of the legal status of mosque fundraising practices, including aspects such as its validity, regulation, and legal implications in the context of Islamic sharia. Meanwhile, the social perspective provides a comprehensive understanding of the social realities surrounding the practice, including the dynamics of the community, the motivation of the perpetrators, and the social impacts caused.

The novelty of this research lies in its holistic approach that overcomes the limitations of previous studies. Previous studies have tended to be trapped in a dichotomy of perspectives, where they favour one particular point of view while ignoring other dimensions that are equally important. For example, some studies have focused too much on the legal aspects without considering the underlying social context, or conversely, have overemphasised the social aspects while ignoring relevant legal considerations.

In an effort to bridge the gap, this paper offers a combinative perspective that integrates legal and social analyses in a balanced manner. The phenomenon of mosque fundraising on the highway is not only seen as a legal-formal issue, but also understood as a manifestation of complex socio-religious dynamics. The sociology of Islamic law approach is used as a theoretical framework to understand the interaction between Islamic legal norms and the social reality of society.

The discussion in this study is structured into several important aspects. First, it explores the socio-religious construction of mosque fundraisers, including their background, motivation and religious understanding. Second, it presents an objective and comprehensive picture of the phenomenon of mosque fundraising, including its patterns, methods and impact on society. Third, it analyses the dialectic that occurs between religious and social norms that colour this practice, including how the two norms influence each other and shape the behaviour of the actors. Fourth, this research concludes by proposing an alternative perspective that is not only theoretical but also applicable as a solution to the various problems that arise in the practice of mosque fundraising.

Through this comprehensive approach, the research is expected to provide a deeper understanding and a more effective solution to the phenomenon of mosque fundraising on the highway, by considering both the legal aspects and the social realities surrounding it.

2. METHODS

This research is fundamentally field research conducted by adopting the sociology of Islamic law approach. As stated by May & Perry (2022), field research is a type of research that is oriented towards studying phenomena in their natural context, where researchers go directly to the location to observe and understand social realities that occur naturally without manipulation. In this case, researchers directly observe the practice of mosque fundraising that occurs in the community.

Meanwhile, the sociology of Islamic law approach, as described by Fakhurrozi et al. (2024), is an analytical perspective that emphasizes an in-depth understanding of the dynamic interaction between Islamic law and the reality of community life. This approach not only looks at the normative aspects of Islamic law, but also how the law interacts, is applied, and is interpreted in the social context of society.

In the data collection process, this research uses three complementary methods. First, in-depth interviews with informants to obtain detailed information about the practice of mosque fundraising. Second, direct observation of fundraising activities to understand the mechanisms and dynamics that occur in the field. Third, documentation to collect written data relevant to the research.

The research sample was determined using snowball sampling technique, where the researcher identifies key informants who then lead to subsequent informants relevant to the research. This technique was chosen due to its effectiveness in identifying key actors of mosque fundraising who have in-depth experience and knowledge of the practice.

Data analysis in this study uses an interpretative understanding approach that is applied to examine three main aspects. The first aspect is to identify and understand the patterns of legal behaviour exhibited by citizens involved in mosque fundraising activities. The second aspect focuses on understanding that laws and patterns of behaviour are the result of social constructions formed by mosque fundraising actors through their interactions with the social environment. The third aspect examines the reciprocal relationship between changes in the legal order and the social and cultural transformations taking place among mosque fundraising actors, including how social change affects the interpretation and implementation of the law, and vice versa.

3. RESULTS AND DISCUSSION

Socio-Religious Construction of Mosque Fundraising: From Enthusiasm to Work Ethic

Human actions cannot be separated from the socio-cultural context and context in which he was born and raised. As Berger and Luckmann once said, that a social order that appears empirically evident in people's lives is not due to human instinct, but rather because of the existence of cultural production that then gives birth to a social order. When a human being is born, the social order already exists and is cultured. Where did the social order come from? According to Berger and Luckmann, the order is a human product, or more precisely, a human product that lasts continuously

(Steets, 2016). But more than that, everything runs by requiring religious processes and functions.

Religion is a subjective belief that gives birth to a feeling of ethnocentrism—a feeling that the religion that is believed to be the most correct is the most correct—thus giving birth to subjective attitudes also in followers of other religions, and there will be a friendly attitude with certain religions that are seen as having similarities, even spurring antipathy and discrimination against followers of other religions that are seen as different and detrimental to the religion they believe in (Inglehart, 2021; Tkáčová et al., 2021). The role of religion becomes increasingly important, when religion is embraced by human social groups, which are related to various activities to meet the complex needs of human life in society (Adiyono et al., 2024; Van Buren et al., 2020). In such a development, religion is directly related to culture, so that religion, society and culture have a mutual relationship that influences each other (Eller, 2021).

When religion actualizes in the lives of its adherents, the religiosity is at the level of society, so that religion is then integrated into the socio-cultural value system, the social system and the form of physical culture which then comes into contact -through social processes- with other socio-cultural elements (May & Perry, 2022; Sokolovskyi et al., 2021). Without having to spontaneously agree with some of the theoretical views above, but the essential issue that I want to say here is that religious activity as something that implements religious norms in a certain context becomes a sociological implication of a person's religious life (Emha et al., 2022; Steets, 2016).

When the influence of religious teachings is very strong on the value system in a society, the cultural system will be transformed into symbols that are sanctified with religion as a frame of reference (Holis, 2017). Thus, the ethos that is directly the guideline of the existence and activities of various social institutions in society, is influenced, moved, and directed by various value systems whose source is in religious values that are embraced and realized in the activities of community members as actions and works that are shrouded in sacred symbols

In addition, the majority of Muslims tend to believe that in religious matters, there is no need to rethink or overhaul established and hereditary practices. On the other hand, the Muslim community in Madura considers religious activities as a key aspect of their work ethic, viewing them as something inseparable from their way of life.

The enthusiasm and work ethic of mosque fundraisers on Bangkalan street were encouraged by at least four things. *First*, the perception of the quality of religiosity. The search for funds or fundraising of the mosque, as an effort to increase the prosperity of the mosque, becomes a strong justification for every action taken as a manifestation of one's existence in the religious life of the administrators. The perception that a mosque looks good, magnificent, and beautiful as a place of worship reflects the quality of religious life in the surrounding community (Hidayati & others, 2024). This perception encourages people to do anything to improve the beauty of the mosque.

Second, socio-cultural. It should be realized that Muslims always want to express themselves as a good Muslim, by developing in the religious field. One of them is to

build a mosque with beautiful architecture. Initiating a mosque construction or renovation program can carry out fundraising activities by imitating successful mosques around it. However, they may have neglected to consider the constitutional and Sharia validity that should serve as the basis for fundraising efforts. In addition, these activities can be carried out without assessing the potential negative impacts, such as fundraising on the streets that cause traffic jams, disrupt public order, or pose a risk to themselves and others (Isnawati et al., 2024).

Third, the economy. Economic problems are a vital component that causes the emergence of fund-seeking activities on the highway. The funding problem experienced by the community is inseparable from the behavior of the majority of those who want the establishment of a good mosque (Bukhari et al., 2020). The ambition to build a magnificent mosque without looking at the available allocation of funds makes the community maneuver through fundraising quickly without having to spend large operational costs and heavy thinking, namely looking for funds on the highway (Nicolas, 2024). They make the road an “asset” in seeking funds for the construction of the mosque. Finding funds on the highway is an alternative that people do because they think there is no other way to be more effective and efficient to do it. In fact, in the reality of modern life like today, there are still many more professional and Islamic strategies that can be done to raise funds (Fakhrurrozi et al., 2024).

Apparently, in addition to seeking funds for the construction or renovation of mosques, there is another motive for individuals seeking funds, namely, the desire to receive remuneration from the development committee. There is a cooperation mechanism between those seeking funds and the responsible party who later compensates the fundraiser based on total income. According to an interview with one of the mosque fundraisers in Burneh Village, they mentioned that the daily income from street fundraising ranges from Rp 500-700 thousand, with a discount of Rp 15-20 thousand for agent consumption such as coffee and food, as well as wages for each fundraiser (Interview, October 8, 2024). Another fundraiser in Karpote Village mentioned that their daily income ranges from Rp 800 thousand to 1 million, deducted for the consumption costs of the charity agents on duty and the agreed wages (Interview, October 8, 2024). In Tanah Merah, daily fundraising can reach between Rp 900 thousand, with a 30% discount on workers’ wages from total income. According to local residents, his income can reach Rp 1 million per day and even up to Rp 2 million per day (Interview, October 8, 2024).

The reason they took to the streets was because it was the busiest alternative, even though the income was uncertain. This is what makes them enthusiastic as a fundraiser because there is another motive besides helping the mosque, namely the personal needs of the fundraisers.

Fourth, vertical motivation that has implications for the emergence of social activities in the name of religion. The fundraisers on the highway are consumed by the doctrine that if a person does good for social and religious activities, then he will get a reward commensurate with what he has done. This assumption gives birth to

activities that are carried out based on religion that may actually have a distortion of understanding from what it should be.

Thus, the tendency as mentioned last above is evident from the life of a group of people who are involved in the practice of collecting donations allocated for the repair and maintenance of mosques. The community group seemed very enthusiastic to become charity seekers for the construction of mosques by intercepting vehicles passing on the streets, without having to consider and think about whether they were in accordance with religious teachings or *taqlid* blind to religious activities from the theological doctrines they understood.

Bangkalan: "Semillion" Mal-Amal Regency

Bangkalan Regency is situated in the western tip of Madura Island, forming part of East Java Province. The region is characterized by lowland topography with elevations ranging from 2 to 100 meters above sea level, positioned between 6° 51' – 7° 11' South Latitude and 112° 40' – 113° 08' East Longitude. The total land area of Bangkalan encompasses 1,260.15 square kilometers. According to the Bangkalan Regency Government (2024), the administrative territory comprises 18 districts: Kamal (41.40 km²), Labang (35.23 km²), Kwanyar (47.81 km²), Modung (78.79 km²), Blega (92.82 km²), Konang (81.09 km²), Galis (120.56 km²), Tanah Merah (68.56 km²), Tragah (39.58 km²), Socah (53.82 km²), Bangkalan (35.02 km²), Burneh (66.10 km²), Arosbaya (42.46 km²), Geger (123.31 km²), Kokop (125.75 km²), Tanjung Bumi (67.49 km²), Sepulu (73.25 km²), and Klampis (67.10 km²).

According to mosque data from East Java Province in 2023, Bangkalan Regency houses 1,190 specialized mosques, comprising 2 Great Mosques (Masjid Agung), 24 Grand Mosques (Masjid Raya), 120 Jami' Mosques, 8 Historical Mosques, and 1,036 public mosques distributed throughout various locations. In the public mosque category, Bangkalan ranks third highest in terms of facilities after Malang and Sumenep Regencies. While this number may appear substantial, it is justified by the region's geographical characteristics, where residential communities are often separated by considerable distances. The extensive network of mosques serves to address the worship needs of residents who would otherwise face difficulties accessing religious facilities due to these spatial constraints.

When mosques become a necessity that must be realized and collide with the lack of funding, the idea of raising funds on the street becomes an alternative. Therefore, people who do not have professional management in managing their funds will tend to do something that is considered effective and efficient without having to see the consequences both legally and socio-culturally. The practice of raising funds for mosques on this street in the lives of the people of Madura is also known as *mal-amal*.

Apart from all this, in fact, the practice of raising mosques on the streets of Bangkalan Regency is quite widespread. Throughout the search that the author has done, there are approximately sixteen mosque fundraising points spread across Provincial Road between Jl. Raya Blega, Jl. Raya Galis and Jl. Raya Poter. On the provincial road in the southern coastal area, there are at least six points where mosque fundraisers are raised. Then on Jl. Raya Blega Kedungdung there are four points where mosque fundraising is held (see figure 1).

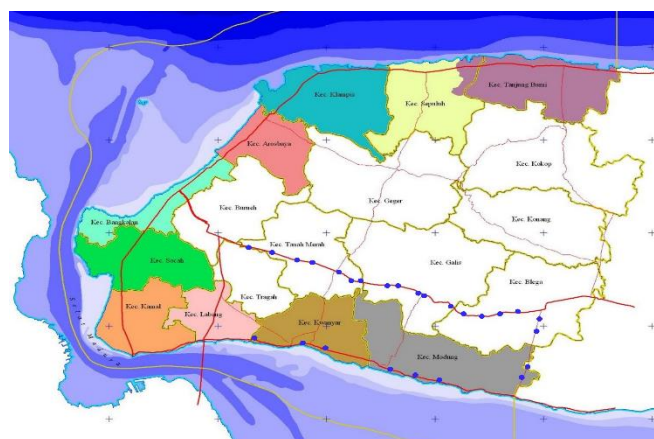


Figure 1. Mosque Fundraising Points on Jalan Raya Bangkalan

The phenomenon of raising mosques on Bangkalan street is actually not a new phenomenon but has been happening for quite some time. From year to year, it appears that there is an increase in the number of mosque fundraising points on Bangkalan street, both on the main road and the southern coastal route of the Bangkalan-Sampang Regency road. Mosque fundraising activities on Jalan Bangkalan are carried out every day, starting from around 06:30 WIB to 16.00 WIB. During the event, this activity utilizes various facilities such as *sound systems* or loudspeakers, banners, or *baleho* that are displayed around the location, making small posts and drum markings or the like that are placed in rows in the middle of the two sides of the road.

The phenomenon of mosque fundraising in Bangkalan reflects the limited access to formal and organized funding sources and shows the gap between the needs of mosque construction and the economic capacity of the community. This condition is exacerbated by the low level of Islamic financial literacy and limited public access to formal financial institutions, especially in rural areas of Bangkalan (Rahman, 2020). However, this phenomenon also shows the strong social capital and the spirit of community mutual cooperation in an effort to meet the needs of worship facilities, although it must be pursued in ways that are less efficient and have the potential to cause social problems.

The Dialectic of Religious and Social Norms

The search for donations on the highway is indeed considered quite practical and effective for some people. Besides being considered easy, this kind of fundraising always brings *income* every day even with uncertain numbers. There is no doubt that this activity has become one of the sources of funds or the establishment of several mosques in various regions, including in the Bangkalan district.

But behind all that, the phenomenon of raising mosques on the Bangkalan highway actually raises a variety of complex and multi-dimensional problems, especially related to religious and social norms. These two fundamental problems are reflected from various perspectives, both from the perspective of community leaders or local

clerics, mosque administrators, people involved in fundraising, road users, and regional office holders.

First, religious norms as the basis of legality. Fatwas and religious guidelines voiced by community leaders as holders of cultural authority have a significant role in shaping community social behavior related to the practice of raising mosques on the street. There is a difference of opinion among Bangkalan community leaders regarding the validity of mosque fundraising activities on the highway in terms of Islamic law. Some community leaders view that fundraising for the construction or renovation of mosques is basically allowed. In fact, in their view, this kind of activity is recommended as a form of embodiment of the principle of *ta'awun* (help-help) in goodness (Interview, October 13, 2024).

Other than that, this group of first religious leaders tended to base their views on the concept of *fastabiq al-khairat*, or compete in goodness. They also view this fundraising activity as a form of worship as well as charity based on religious guidelines on the virtues of prospering and building mosques. It is not just about building the physical structure of the mosque, but also providing a forum to strengthen the spiritual life of the community and facilitate anyone who wants to contribute to the construction of the mosque (Interview, October 13, 2024).

The role of religion—including the religious elite—plays an important role in the formation of the social system, thus creating patterns and norms of behavior that are considered legitimate and binding by its members who are part of the social system itself (Thontowi et al., 2023). The role of religion—including the religious elite—plays an important role in the formation of the social system, thus creating patterns and norms of behavior that are considered legitimate and binding by its members who are part of the social system itself. As a fundamental social institution, religion not only functions as a spiritual guideline but also serves as a frame of reference in regulating human interaction (Herzog et al., 2020). Religious leaders, through the interpretation and dissemination of religious teachings, act as socialization agents who instill moral and ethical values in society (Golo et al., 2019). This process then gives rise to structured social institutions, in which each member of society consciously adheres to and internalizes those norms as part of their collective identity (Steets, 2016). Thus, religion is not only a belief system, but also functions as an effective social control mechanism in maintaining order and harmony in society (Chriss, 2022).

Whether it is acknowledged or not, the role of kiai and local religious leaders in providing the above understanding has given religious legitimacy and accommodated mosque administrators and the community involved in the practice of raising mosque funds on the Bangkalan highway. This is for example, seen from the statement of YH, a mosque administrator as well as a fundraising volunteer. According to him, as a resident who is directly involved in this mosque fundraising activity, he considers it as a form of worship as well as a shared social responsibility. This activity is not just an activity to collect money, but a tangible manifestation of the spirit of mutual cooperation in building the house of Allah (Interview, October 14, 2024).

In line with the statement of IH who is also the mosque fundraising committee. He firmly believes that helping the construction of mosques is a charity whose rewards

will continue to flow. As taught in the hadith, one of the deeds that will not be interrupted after a person dies is *shadaqah jariyah*, including building a mosque. When he took to the streets to raise funds, he strengthened his intention to get blessings and rewards from Allah SWT (Interview, October 14, 2024).

Likewise with MS, who serves as the chairman of the mosque fundraising committee in the Karpote area. He said that regarding conformity with Islamic values, this practice is in line with religious teachings about helping in goodness (*ta'awun*). In Bangkalan itself, this tradition has been going on for a long time and has received support from local kyai and religious leaders. They view this as a legitimate way to help the construction of mosques, as long as it is done with the right intention and trustworthy management of funds. In addition, MS also feels that this activity can strengthen social relations in the community. There is a sense of brotherhood that is intertwined, even if only through brief interactions. Interestingly, many donors from outside the city participated. This shows that this activity is also a means to share kindness more widely (Interview, October 16, 2024).

Second, social norms. The legitimacy of the kiai and local religious leaders regarding the fundraising of mosques on the highway in turn creates public acceptance of this practice as part of local traditions. Not to mention the characteristics of the spirit of brotherhood, the value of mutual cooperation, and a strong sense of togetherness make this mosque fundraising activity increasingly socially accepted, even lasting for a relatively long period of time and hereditary. This culture that is so deeply rooted feels difficult to replace, even though institutionally, the MUI has banned and prohibited all forms of mosque fundraising carried out on the highway (Fansuri, 2023). This also proves that in the religious diversity of the community involved in fundraising for mosques on the highway, fatwas from local religious leaders are often more influential than fatwas from national religious institutions.

Most of the mosque fundraising committees on Jalan Bangkalan seem indifferent to the aspects of safety and public welfare, especially those related to the rights of road users. This is certainly quite unfortunate, considering that not a few of the road users feel disturbed by this activity because it has the potential to cause congestion and is also worried about endangering fundraisers and road users. In this case, SF, a road user who every weekday crosses the mosque's fundraising points, objected to this practice. According to him, there are several important considerations that need to be balanced. First, the safety and comfort of road users which is part of social responsibility. Second, public order is the foundation of community life. Third, the legality and licensing aspects of the authorities that need to be complied with (Interview, October 17, 2024).

Responding to this problem, as one of the road users, AW sees the need for a comprehensive and wise approach. This can start by building good communication with various related parties, including religious leaders, local governments, and the community. This dialogue is important to find a common ground between the implementation of religious obligations and compliance with social laws (Interview, October 17, 2024).

Meanwhile, local office holders cannot do much. SH, one of the representatives of the Bangkalan Regency social service expressed his concern about the phenomenon of mosque fundraising on this street. On the one hand, he realized that this practice might be contrary to positive laws that guarantee the rights of every road user. But on the other hand, the local government has not been able to provide the best to fund the construction or renovation of mosques, which are not small. However, he still hopes that this problem will soon find a solution, without the need to sacrifice religious and social norms that apply in society (Interview, October 18, 2024).

Apart from all this, the decision to raise funds for the construction or renovation of mosques as found in Bangkalan is not solely based on practical considerations, but is also intertwined with religious and social norms that overlap with each other, and have been ingrained in people's lives. This interaction between religious and social norms creates a kind of dual legitimacy that makes mosque administrators feel that this method is not only acceptable, but even seen as the right choice in the context of the local community. This decision is also reinforced by historical precedents, where similar practices have been practiced for generations and have the support of local religious leaders.

However, what is interesting is how these norms also form unwritten limits and rules in the implementation of fundraising. For example, there is a general understanding of the right time to do fundraising, how to interact with donors and the importance of maintaining trust in the management of the funds collected. All of this reflects how religious and social norms influence not only the decision to use these methods but also the way in which they are implemented. What also needs to be understood is that the influence of these norms often operates at a very deep level and is not always fully realized by the people involved in mosque fundraising. The decision to use this method sometimes appears as a "natural" or "natural" choice because it has become part of a widely accepted social practice.

Unraveling the Common Thread

Sharia is a medium and catalyst used to convey the values of *divine* truth. It can also be defined as God's design for religion as well as a method of charity for believers and mujtahids in giving fatwas. *Sharia* laws are the application of the substance of God's design and the application of the method of mercy in human life. The implementation can be in the form of direct commands from Allah such as the laws of worship, partial *muamalah*, and punishment. Sometimes it is in the form of *ijtihad* and the interpretation of scholars (Hassan, 2024). All of them are oriented to the essence of Islamic law in the form of *maqashid al-tasyri'* (Ruthven, 2012), which is to realize good while avoiding evil or attracting benefits and rejecting *madharah*. So the essence of the concept of *maqashid al-shari'ah* is *mashlahah* (Mustaqim, 2023).

Islam is a religion that is *syamil* (comprehensive) and *kamil* (perfect), so that in its laws there are various problems related to human beings in life as individual beings and social beings (Ab Rahman et al., 2019). Islam does not adhere to the idea of authoritarianism at all which tends to govern without any understanding and understanding, in other words Islam tends to be democratic and oriented towards *rahmat li al-alamin* (Nur et al., 2020). Islam is a global and universal religion (Basri, 2022), so one of its advantages is to regulate relationships that have 2 (two) dimensions

that must always be maintained by their people, namely the relationship between man and his God (*habl minallah*) and the relationship between man and other humans (*habl minannas*) (Emha et al., 2022; Isnawati et al., 2024; Thontowi et al., 2023). The relationship between man and his Lord, then called *ibadah*, and the relationship between man and his fellow man is called *muamalah*. Islam always encourages its people to always compete to do good in interacting with others. In addition, the man was created by Allah as the *khalifah* on this earth with the aim that man always maintains, manages, and regulates this earth, as well as to worship Him in order to obtain the degree of *taqwa* by His side (Hassan, 2024).

Based on the above thinking, it can be said that human beings living on the earth of God are nothing but merely carrying out His commands and staying away from all His prohibitions. As a consequence, they must always do virtue that can bring benefits and leave behind evils that can bring harm. In this context, many Muslims want to do virtue but are wrong in applying this desire. In other words, many Muslims still do not fully understand the essence of Islam itself so they do something with the aim of glorifying the religion, but on the contrary, they have insulted their religion. Related to the problem of finding funds for the construction of mosques on the highway, it turns out that in the reality of society there is a lot of “embrace of religion” to legitimize certain interests, both in terms of politics, economics, and culture. Another thing that can be seen is the use of religious jargon to legitimize social activities, which is a religious process in order to form social activities that are ultimately made into traditions that are not reviewed. This condition raises the question of whether the behavior really gets religious legitimacy?

From some of the information above, the author would like to convey that in the midst of society, there is a misunderstanding in viewing religion so that behavior is not in accordance with religious teachings but is carried out in the name of “religion”. The rise of fundraising for the construction of socio-religious facilities today raises a worrying scene. This fundraising “project” is carried out on roads – both national and provincial roads – by creating “drum and human markings” which actually result in smooth traffic disruption. The fundamental question in this regard is whether such a thing can be justified by Islam? This reality needs to be reviewed from various aspects such as sociology and Islamic law, so that if all reviews have been carried out, can these activities still be legalized both from the perspective of positive law and Islamic law?

The problem of finding funds on the highway has several negative sides that must be observed, including: *First*, that the fundraising activity on the highway can interfere with travel and can cause harm, both for road users and for the charity seekers themselves. This can be studied by referring to the Hadith which explains that if there is an obstacle in the way and we eliminate it, then it is included in the category of *shadaqah*. In other words, eliminating something that can cause harm to others is a noble act commanded by *the Shari’a*. Meanwhile, the phenomenon of seeking funds for the construction of mosques on the highway has actually “presented” suffering to others (Zahro, 2004).

Second, begging both in the context of individual interests and for social interests is an act that is lacking and not in line with the breath of Islam, because Islam itself has affirmed that “giving” its position is better than “receiving”. Therefore, Islam as a religion that brings benefits always encourages Muslims to spend their wealth through *zakat*, *infaq*, *shadaqah*, *wakaf*, *hibah* and so on. *Third*, sociologically and psychologically, it is necessary to consider that not all road users come from among Muslims. When the reality is so, then what needs to be pondered is the implication of these activities, namely the disruption or insult of the dignity and image of Islam because it has been tarnished by the activity of “intercepting” road users with arguments for the interests of Islam. In fact, in *maqashid al-tasyri'*, maintaining religion is the first thing that must be used as the foundation in religion.

Fourth, a problem that is also significant to study is the percentage obtained by charity seekers from the results of the search for funds for the construction of the mosque. Can the acquisition of the percentage for charity seekers be justified by Islamic law or not? The problem becomes dilemmatic. If they are paid, is the payment valid? On the other hand, if they are not paid, what about the time they have spent standing in the middle of the road all day?

In addition, there needs to be an effort to develop alternative fundraising methods that are more organized and in accordance with applicable laws. This can include the use of digital platforms, the establishment of a regular donation system, or cooperation with Islamic financial institutions. However, in the process, the values of mutual cooperation and community participation that have been built need to be maintained.

It is also important to understand that in Islam, the implementation of religious obligations should not cause harm or harm to others. The principle of *la dharara wa la dhirara* (one should not harm oneself and others) is an important guide in managing this relationship. Thus, efforts to build mosques, although important, must not neglect the interests and safety of the public.

In practice, the management of this relationship can be realized through several concrete steps. For example, by creating a more structured fundraising system, equipping it with the necessary permits, and ensuring its implementation does not disturb public order. It is also important to establish transparency and accountability in the management of the funds collected. No less important is to educate the public about the importance of balancing religious obligations and complying with social laws. This can help build an understanding that these two aspects do not have to be opposite, but can complement each other to achieve better goals.

With this balanced and wise approach, it is hoped that the obligation to build a mosque can be carried out properly without sacrificing the aspects of order and public welfare. It can also be a model of how religious values and social norms can run in harmony in the context of modern social life.

4. CONCLUSION

The phenomenon of fundraising for mosques on Bangkalan street from the perspective of the sociology of Islamic law holds complex problems. This practice is

seen not only from a practical aspect but also closely related to religious and social norms that have been ingrained in the lives of local communities. Religious norms play an important role in legitimizing this practice. Support from local religious leaders and kyai provides moral and social justification, although there are differences of opinion regarding the validity of this activity in terms of Islamic law. Some community leaders consider it legitimate, based on the principle of help-help (*ta'awun*) and competing in goodness (*fastabiq al-khairat*).

However, there are challenges related to safety and public welfare, especially the rights of road users. Although this practice has gained legitimacy from social and religious norms, safety aspects are often overlooked. This shows that fatwas from local religious leaders are often more influential than fatwas from national religious institutions. In this context, the interaction between religious and social norms forms a kind of dual legitimacy, making the practice of fundraising on the highway acceptable and even seen as appropriate in the context of Bangkalan society. However, there needs to be further awareness regarding the safety and ethical implications of the implementation of this practice.

5. ACKNOWLEDGMENT

The author would like to express his appreciation and gratitude to all parties who have helped complete this research.

6. REFERENCES

- Ab Rahman, Z., Salleh, K., Kamarzaman, M. H., Ariff Mohd Kashim, M. I., & Kamaruzaman, A. F. (2019). A Study of Effectiveness of Human Internal Elements of Mental Illness Based on Islamic Psychotherapy. *International Journal of Civil Engineering and Technology*, 10(03).
- Adiyono, A., Ni'am, S., & Anshor, A. M. (2024). Islamic Character Education in the Era of Industry 5.0: Navigating Challenges and Embracing Opportunities. *Al-Hayat: Journal of Islamic Education*, 8(1), 287. <https://doi.org/10.35723/ajie.v8i1.493>
- Antoniou, D. (2025). *Why Not Build the Mosque?: Islam, Political Cost, and the Practice of Democracy in Greece*. University of Pennsylvania Press.
- Basri, M. H. (2022). *Green Islam'and 'green Pesantren': an ethnographic study of Pesantren Annuqayah, Madura Island, Indonesia*. Western Sidney University.
- Brader, L., Djibo, H., Faye, F. G., Ghaout, S., Lazar, M., Luzietoso, P. N., & Babah, M. A. O. (2006). Towards a more effective response to desert locusts and their impacts on food security, livelihoods and poverty. *Multilateral Evaluation of the 2003--05 Desert Locust Campaign*, 49.
- Bukhari, F. A. S., Usman, S. M., Usman, M., & Hussain, K. (2020). The effects of creator credibility and backer endorsement in donation crowdfunding campaigns success. *Baltic Journal of Management*, 15(2), 215–235.
- Chriss, J. J. (2022). *Social control: An introduction*. John Wiley & Sons.
- Eller, J. D. (2021). *Introducing anthropology of religion: culture to the ultimate*. Routledge.
- Emha, Z. I. F., Silviana, A., & Musahadi, M. (2022). Waqf Land Certification Postponement for Place of Worship Due to the Obscurity of the Toll Road

- Expansion Project (Re-overview of Gustav Radbruch's Three Basic Legal Values Theory). *Al-Ahkam*, 32(1), 17–40. <https://doi.org/10.21580/ahkam.2022.32.1.10745>
- Fakhrurrozi, A., Rofiqi, R., & Gazali, A. (2024). The Development of an Inclusive Social Science Based Contextual Interpretation Model: A New Approach to Address Contemporary Challenges in Quranic Studies. *Al-Insyiroh: Jurnal Studi Keislaman*, 10(2), 249–285. <https://doi.org/10.35309/alinsyiroh.v10i2.303>
- Falah, M. F., Quthny, A. Y. A., & Muzakki, A. (2023). Explication of Mosque Construction Funds from Roadside Charity Donations in the Perspective of Islamic Law Sociology. *Hayula: Indonesian Journal of Multidisciplinary Islamic Studies*, 7(2), 207–226.
- Fansuri, H. (2023). On the Road of Hijrah: Contesting Identity through Urban Mobilities in Contemporary Indonesian Muslims. *Archipel. Études Interdisciplinaires Sur Le Monde Insulindien*, 105, 115–139.
- Golo, B.-W. K., Broo, M., Sztajer, S., Benyah, F., Ray, S., & Sarkar, M. (2019). Primary religious socialization agents and young adults' understanding of religion: connections and disconnections. *Religion*, 49(2), 179–200. <https://doi.org/10.1080/0048721X.2019.1584350>
- Hassan, S. A. (2024). Concept of 'urf (Custom) in Islamic Law and its Application in Social Affairs: An Analytical Study. *Mohi Ud Din Journal of Islamic Studies*, 2(I), 1–26.
- Herzog, P. S., King, D. P., Khader, R. A., Strohmeier, A., & Williams, A. L. (2020). Studying Religiosity and Spirituality: A Review of Macro, Micro, and Meso-Level Approaches. *Religions*, 11(9), 437. <https://doi.org/10.3390/rel11090437>
- Hidayati, N., & others. (2024). UQO An Environmentally Friendly and Family-Centric Mosque Fundraising System. *SOCIALE: International Journal of Social Studies*, 1(1), 16–28.
- Hijeat, A. M., & Al-Bazzaz, I. A. (2023). The Effect of Building Regulations in Non-Islamic Contexts on the Mosque Architecture. *Planning*, 18(3), 897–908.
- Holis, M. (2017). Konstruksi Masyarakat Pencari Sumbangan di Jalan Raya (Studi Kasus Pencarian Amal Masjid di Jalan Raya Kabupaten Pamekasan. *NUANSA: Jurnal Penelitian Ilmu Sosial Dan Keagamaan Islam*, 14(1), 63. <https://doi.org/10.19105/nuansa.v14i1.1313>
- Inglehart, R. (2021). *Religion's sudden decline: What's causing it, and what comes next?* Oxford University Press.
- Isnawati, Hidayati, N., & Harirah. (2024). UQO An Environmentally Friendly and Family-Centric Mosque Fundraising System. *SOCIALE: International Journal of Social Studies*, 1(1), 16–28. <https://doi.org/10.19105/sociale.v1i1.12279>
- May, T., & Perry, B. (2022). *Social research: Issues, methods and process*. McGraw-Hill Education (UK).
- Morgan, R. (2023). 'Policing by consent': legitimating the doctrine. In *Coming to Terms with Policing* (pp. 217–234). Routledge. <https://doi.org/10.4324/9781003358732-13>
- Mustaqim, A. R. (2023). *Kodifikasi Hukum Islam Melalui Legislasi Hukum (Taqnīn) Menurut Wahbah Al-Zuhailī*. Universitas Islam Negeri Ar-Raniry.
- Nicolas, L. (2024). *Global and Regional Strategies in the Middle East: In Pursuit of Hegemony*. Taylor & Francis.

- Nur, I., Nawawie, A. H., Fajarwati, H., & Chusna, H. (2020). Embracing radicalism and extremism in Indonesia with the beauty of Islam. *Asian Research Journal of Arts & Social Sciences*, 10(2), 1-18.
- Pepriyana, A., Mita, M., & Setiandika Igasi, T. (2024). Fenomena Sosial Sumbangan Pembangunan Masjid di jalan raya (Studi Kasus Kecamatan Bintan Timur, Kabupaten Bintan). *Jurnal Ilmu Sosial Dan Ilmu Politik*, 6(1), 33-41. <https://doi.org/10.56552/jisipol.v6i1.185>
- Ruthven, M. (2012). *Encounters with Islam: on religion, politics and modernity*. Bloomsbury Publishing.
- Sokolovskyi, O., Kobetiak, A., Melnychuk, M., & Chaplinska, O. (2021). Reconstruction of the religious paradigm in the modern globalized world. *Wisdom*, 2 (18), 153-160.
- Steets, S. (2016). Taking Berger and Luckmann to the Realm of Materiality: Architecture as a Social Construction. *Cultural Sociology*, 10(1), 93-108. <https://doi.org/10.1177/1749975515616652>
- Thontowi, J., Syahamata Ady, W., Dyah Rahmawati, N., & Ali, M. (2023). Prophetic Law and Social Engineering: The Interaction between Religious Legal System and Customary Local System in Respect to Maintain and Promote Religious Values in Indonesian National Legal System. *International Journal of Social Science, Education, Communication and Economics (SINOMICS JOURNAL)*, 1(6), 761-778. <https://doi.org/10.54443/sj.v1i6.86>
- Tkáčová, H., Pavlíková, M., Tvrdoň, M., & Prokopyev, A. I. (2021). Existence and prevention of social exclusion of religious university students due to stereotyping. *Bogoslovni Vestnik*, 81(1), 199-223.
- Utama, R. D. R., Fitriandasari, Z., Arifin, M., & Muhtadi, R. (2018). Can Mosque Fund Management For Community Economic Empowerment?: An Exploratory Study. *International Journal of Islamic Business Ethics*, 3(2), 451. <https://doi.org/10.30659/ijibe.3.2.451-457>
- Van Buren, H. J., Syed, J., & Mir, R. (2020). Religion as a Macro Social Force Affecting Business: Concepts, Questions, and Future Research. *Business & Society*, 59(5), 799-822. <https://doi.org/10.1177/0007650319845097>