

## Implementation of Ta'awun and Sadd Dzari'ah concepts in Mutabarok Bunda Sejahtera Financing at PT. BPRS Magetan

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### ABSTRACT

**Background.** The importance of conducting this research is because the function and role of Islamic banks does not only solves the capital needs of society, but the practice is in accordance with the constitution and to realize the benefit of society. As contained in this Mutabarok Bunda Sejahtera financing. This financing is not only a solution to the capital needs of small traders but also applies the concept of ta'awun and sadd dzari'ah.

**Purpose.** This research aims to know the implementation of the concept of ta'awun and sadd dzari'ah in the practice of Mutabarok Bunda Sejahtera financing at PT BPRS Magetan.

**Method.** The type of research used in this research is a type of qualitative research, namely research that explores the implementation of a concept applied in the field, namely the implementation of the concept of ta'awun and sadd dzari'ah in Mutabarok Bunda Sejahtera Financing at PT.

**Results.** PT BPRS Magetan is one of the banks in the form of a Limited Liability Company in Magetan Regency, East Java Province, which is based on a sharia system with the largest shares owned by the Magetan Regency Government.

**Conclusion.** Its existence is very helpful to the economy of the people of Magetan Regency, through the activities of raising funds and channeling funds, so that the rotation of the economy of the community can run.

### KEYWORDS

Justice, Transitional, Concept

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### INTRODUCTION

Banking has a very important role in the economy of a country (Di Vaio dkk., 2020). This is implemented in the functions and roles of banks. Banks become intermediary institutions between parties who are surplus funds and those who are minus funds (Coppola dkk., 2019). The bank function provides very important benefits for people's lives (Y. Yang dkk., 2019). Banks provide many solutions for people's needs, both in the form of consumptive and productive needs for both working capital and investment.

In the economic concept, banks are the heart of the economy in a country because banks have a very vital role



in a country's economy (Morel dkk., 2020). In general, banks carry out their operations in 3 forms, namely raising funds, channeling funds and other financial services (Adiwarman. A. Karim. Islamic Bank, 2011). Fund raising is the bank's business activity in attracting and collecting funds from the public and accommodating them in the form of deposits, demand deposits, savings and deposits. Channeling funds is the bank's activity in channeling funds that have been collected from the public to various sectors of the economy such as investment, consumption, and other activities (Chandrasekar dkk., 2020). Other financial services are bank activities in providing services to customers in exchange for services or profits (W. Y. Yang dkk., 2019). One of the banks that run the bank's operations is PT BPRS Magetan.

PT BPRS Magetan is one of the banks that runs its business in sharia. According to Law No. 10 of 1998, Indonesia has determined that bank operations in Indonesia can be run in 2 forms, namely conventional and sharia principles.

Sharia principles are the rules of agreement based on Islamic law between banks and other parties to save funds and / or financing business activities, or other activities that are declared in accordance with sharia, including financing based on profit sharing principles (*mudharabah*), financing based on the principle of equity participation (*musharakah*), the principle of buying and selling goods with profit (*murabahah*), or financing capital goods based on the principle of pure lease without options (*ijarah*), or with the option of transferring ownership of goods leased from the bank by other parties (*ijarah wa iqtina*) (Karimi-Maleh dkk., 2022). The essence of the implementation of sharia principles in the business activities of Islamic banks is a very principle difference between Islamic banks and conventional banks (Luque dkk., 2019). This is also the difference between PT BPRS Magetan and other banks or other institutions or individual credit business activities such as *titil* banks in carrying out financial transactions in the Megatan area. This difference in principle leads to differences in practice. PT BPRS Magetan which makes part of Islamic banking implements its operations in accordance with sharia principles.

In practice, PT BPRS Magetan has issued a financing product that aims to channel funds to the lower middle class and small traders who need capital. That is Mutabarok Bunda Sejahtera financing.

An interesting thing for researchers is, the practice of Mutabarok Bunda Sejahtera financing, not only has fulfilled the sharia principles set out in the law, but also this financing has realized the implementation of the concept of *ta'awun* and the concept of *sadd dzari'ah*, so that through this financing BPRS Magetan has realized the benefit for the wider community in general and specifically the Magetan community which is the purpose of carrying out a legal action (*Maqashidul Ahkam*).

In the perspective of Islamic law, the implementation of the concept of *ta'awun* is the implementation of the command of the *nash*, namely the Qur'an as one of the legal arguments (Riess dkk., 2019). The *nash al-Quran* has shown an obligatory order for Muslims to carry out *ta'awun* (helping) in goodness and piety (QS. *al-Maidah*, 2). While the implementation of the concept of *sadd dzari'ah* is the implementation of the legal concept to close a path that can lead someone to *mafsadah* (damage).

Based on the description above, the authors are interested in conducting research on the implementation of the concept of *ta'awun* and *sadd dzari'ah* on Mutabarok Bunda Sejahtera Financing at PT BPRS Magetan.

## RESEARCH METHODOLOGY

The type of research used in this study is a type of qualitative research, namely research that explores the implementation of a concept applied in the field, namely the implementation of the concept of ta'awun and sadd dzari'ah in Mutabarok Bunda Sejahtera Financing at PT BPRS Magetan. An important point is the effort to understand the attitudes (Reichstein dkk., 2019), views, feelings and behavior of both individuals and groups of people involved in the practice.

Sources of data in this study are employees or bank employees and other data related to the focus of the research objectives.

The data will be directly taken in the field of the research site with several methods, including:

1. Interview is a conversation with a specific purpose (Stuart dkk., 2019). The conversation is carried out by two parties, namely the interviewer (interviewer) who asks questions and the interviewee (interviewee) who provides answers to those questions.
2. Observation is a note that is in the form of a very shortened scribble, containing key words, phrases, the main points of conversation or observation, maybe pictures, sketches, sociograms, diagrams, and others.
3. Documents are any written or film material, other than records, which are not prepared because of an investigator's request (Lexy. J. Moleong, 2004).

After the data is collected, an analysis is carried out. The data analysis techniques that researchers use in this study are:

1. Descriptive, namely research by describing the financing practices of Mutabarok Bunda Sejahtera at PT BPRS Magetan based on the facts that appear as they are.
2. Deductive, which in its application is done by taking the theory, or postulates / normative rules related to the concept of ta'awun and sadd dzari'ah, then from the theory drawn on the facts of Mutabarok Bunda Sejahtera financing practices (Callhoff dkk., 2020), the aim is to find out the suitability or deviation that may exist between the theory of Islamic law and the practice.

The approach used in this research is the empirical juridical approach method, namely an approach that connects the provisions of the applicable law to the norms or legal regulations in practice in the field (Nosyk dkk., 2021). In this case the researcher connects the Mutabarok Bunda Sejahtera financing practice at PT BPRS Magetan with the implementation of applicable norms in Islamic Law.

## RESULT AND DISCUSSION

Based on the data that researchers found through observation, interviews and documentation search at PT BPRS Magetan, the researchers can describe the results of research related to Mutabarok Bunda Sejahtera financing practices at PT BPRS Magetan as follows, namely:

### **Financing Practices Mutabarok Bunda Sejahtera at PT. BPRS Magetan**

PT BPRS Magetan is one of the Banks in the form of a Limited Liability Company in Magetan Regency, East Java Province based on sharia system with the largest shares owned by Magetan Regency Government (Makdessi dkk., 2019). PT BPRS Magetan was established based on the local regulation of Magetan Regency No.9 of 2008 and the deed of establishment of PT BPRS Magetan No. 53, dated December 21, 2011 made by Yvonne Erawati, SH. Notary Madiun. (Archives of PT BPRS Magetan) (Pretorius dkk., 2021). PT BPRS Magetan has its head office at Jl. Yos Sudarso, No. 52, Magetan, Tel. (0351) 891448 Fax. (0351) 891549. For 8 years, PT BPRS

Magetan has 2 cash offices (Elvén dkk., 2022). The first is located in Kawedanan: Jl. Raya Gorang-Gareng, Magetan, Kawedanan Tel. (0351) 439643. Second located at Jl. Pasar Legi No. 45 West (kec. Barat) Tel. (0351) 867918. (Archives of PT. BPRS Magetan)

Sharia People's Financing Bank abbreviated (BPRS) is a sharia bank that specializes in assisting the capital of small and micro people's businesses with a profit-sharing system that is fair ('is) and balanced (tawazun), and brings blessings and tranquility (Mao dkk., 2019). PT BPRS Magetan was born with reference to Law (UU) No. 10 of 1998, in which Islamic banking has been accommodated. In Law No. 21 of 2008 mentioned that the type of business activities of BPRS is to collect funds from the public in the form of deposits (savings) and investment (deposits), channeling funds to the public in the form of financing with al-Murabahah, al-Mudharabah, al-Musyarakah, al-Ijarah, Multijasa and other contracts that have been determined by the Financial Services Authority.

The results of the interview with the Manager of PT BPRS Magetan Mrs. Endah Kundarti is an explanation that Mutabarok Bunda Sejahtera Financing is one of the superior products of PT BPRS Magetan (Bojanic & Warnick, 2020). The advantage of this financing product is the absence of collateral requirements and customers will receive the full realization funds without deductions. PT BPRS Magetan also provides convenience in returning financing funds to customers by providing daily or weekly savings services. This is all one of one strategy of PT.BPRS Magetan to avoid the people of Kab. Magetan from Bank Batak (Bank Titil) or loan sharks.

The results of the interview with the Manager of PT BPRS Magetan Mrs. Endah Kundarti is an explanation that Mutabarok Bunda Sejahtera Financing in Magetan Regency applies al-Mudharabah contract, in the financing the bank acts as shahibu al-Mal while the customer acts as al-Mudharib. Mutabarok Bunda Sejahtera Financing has many advantages, namely:

1. Without collateral / collateral.
2. Terms of 1, 6, and 10 months.
3. Fast service.
4. Easy requirements (only with ID card, photo of business place).
5. Free of any fees (administration) so that customers receive 100% of the approved loan (receive in full).
6. Plafond can be up to 5 million.
7. Installment pattern - daily/weekly saving system.
8. Profit sharing system (akad al-Mudharabah).
9. Already deducted infaq shadaqah.
10. Savings incentives that pay on time.

The submission process up to the disbursement of Mutabarok Bunda Sejahtera financing at PT BPRS Magetan is as follows:

1. Customers come to the bank office then meet the Mutabarok section to apply for Mutabarok financing.
2. The customer fills out the Mutabarok financing application form.
3. The customer submits a copy of the ID card, a photo of the place of business and the completed application form to the Mutabarok section.
4. The Mutabarok section checks the form that has been filled in by the customer and checks the completeness of the requirements.

5. After all the requirements are complete, the AO will conduct an analysis by surveying the customer's place of business and inputting the survey results in the application provided by the bank.
6. Admin will input the customer's data for filing.
7. When the customer is deemed eligible by the bank to be given Mutabarok financing, a contract is carried out between the Bank and the customer.
8. After completing the contract between the Bank and the customer, the bank will disburse Mutabarok financing and the customer will receive additional capital for his business.

## ALUR



### Implementation of the concept of Ta'awun and Sadd Dzari'ah in Mutabarok Bunda Sejahtera Financing.

Islam has determined that the Qur'an is the main source for Muslims. Therefore, the laws contained in the Quran are rules that must be followed by humans at all times (Romli SA, 2017). Among these rules are rules related to the concept of ta'awun (helping). The concept of ta'awun (helping) is part of the principles of Islamic law (Faisar Ananda Arfa, 2007). This principle has two meanings. The first meaning is the command to help each other in goodness and piety. The second meaning is the prohibition to help each other in sin and enmity. This is as found in the nash al-Quran Surah al-Maidah verse 2, namely :

... وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ ۖ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ ...

Meaning: ... and help each other in goodness and piety. And do not help in sin and enmity ... (QS. Al-Maidah, 2)

In practice, the Mutabarok Bunda Sejahtera Financing practice at PT BPRS Magetan has implemented the concept of ta'awun (helping each other). Through this Mutabarok Bunda Sejahtera Financing, PT. BPRS Magetan has helped the lower middle class or small traders, who have no guarantee to get funds to meet their consumptive and productive needs.

Before the existence of Mutabarok Bunda Sejahtera Financing, the lower middle class and small traders who did not have collateral had difficulty obtaining funds. In fact, many of them borrowed from Batak banks or titil banks or loan sharks even though it was very detrimental to them, with very large interest rates and short terms.

The emergence of Mutabarok Bunda Sejahtera Financing is a breath of fresh air for the community to get help and solutions to their funding needs on easy terms and without interest, even



though they do not have collateral. Even the funds that will be received by customers are intact without administrative deductions. The installment system is modeled as daily or weekly savings according to the agreement between the customer and the bank officer who will be ready to collect the savings / installments. This is all very helpful and easy for customers who need funds.

Based on the arguments of the nash al-Quran and the facts of Mutabarok Bunda Sejahtera financing practices above, it can be seen that in the Mutabarok Bunda Sejahtera financing practice the concept of ta'awun has been applied, namely helping in goodness.

Islam is the comprehensive way of life, which is a way of life that guides all aspects of human life (Adiwarman. A. Karim, 2011). This includes human deeds. Islam has determined that there are actions that are required to be done, namely actions that are ordered (wajib and sunnah) and there are actions that are required not to be done or that are prohibited (haram and makruh).

The actions that are commanded or prohibited are divided into two parts. The first part is actions that can be done immediately. The second part is actions that cannot be done immediately. Actions that cannot be directly performed are actions that require other actions that must be done beforehand, which become intermediaries to realize the commanded or prohibited actions. The action that must be done beforehand or the intermediary is called dhari'ah. In Islamic law, this dzari'ah action follows the law of the action it leads to.

Etymologically, dhari'ah means "the path leading to something whether an act leads to mafsadah (damage) or maslahah (Goodness) whether it is words or actions" (Misbahuddin, 2013).

Actions or words that can lead to mafsadah (damage) must be closed or eliminated. Closing or eliminating the path or wasilah that leads to the mafsadah is called sadd dzari'ah. Sheikh Wahbah al-Zuhaili said sadd dzari'ah in terminology is prevention of something that can cause mafsadah (damage), because damage is something that is prohibited (Wahbah Zuhaili, 1986).

In practice, Mutabarok Bunda Sejahtera financing has closed or eliminated a practice that can lead the perpetrators to the practice of usury. According to Shaykh Muhammad Abduh, usury is the additions required by people who have property to people who borrow their property (money), because of the delay in the promise of payment by the borrower from a predetermined time. This usury practice is a practice that is prohibited in Islam. Among the examples of the practice of usury is the business activity of lending money by providing additional conditions for returning the loan money.

Before the existence of Mutabarok Bunda Sejahtera Financing, the lower middle class and small traders borrowed from the Batak bank or titil bank or loan sharks. In practice, this money lending is determined by loan interest. Loan interest is the addition of money required by people who have property to people who borrow their property (money). And this practice in Islamic legal terminology includes the practice of usury.

With the financing of Mutabarok Bunda Sejahtera Financing, the lower middle class and small traders no longer make transactions that can lead them to the practice of usury.

So it can be seen that the Mutabarok Bunda Sejahtera financing practice at PT BPRS Magetan has implemented the concept of sadd dzari'ah.

## CONCLUSION

PT BPRS Magetan, is one of the Sharia People's Financing Banks (BPRS) operating in Magetan Regency in sharia. Its existence is very helpful to the economy of the people of Magetan Regency, through the activities of raising funds and channeling funds, so that the rotation of the economy of the community can run.

In its function and role, PT BPRS Magetan markets a financing product to meet the needs of the lower middle class and small traders, namely Mutabarok Bunda Sejahtera financing.

The financing practice has not only fulfilled the sharia principles set forth in the law, but also the financing has realized the implementation of the concept of ta'awun and the concept of sadd dzari'ah, so that through the financing BPRS Magetan has realized the benefit for the wider community in general and specifically the Magetan community which is the purpose of implementing a legal act (Maqashidul Ahkam).

## AUTHORS' CONTRIBUTION

Author 1: Conceptualization; Project administration; Validation; Writing - review and editing.

Author 2: Conceptualization; Data curation; In-vestigation.

Author 3: Data curation; Investigation; Formal analysis; Methodology

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