

## ADINUGRAHA'S PERSPECTIVE ON THE DEVELOPMENT OF COTEMPORARY SHARIA BANKING IN INDONESIA

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### Abstract

Islamic banking has a unique position compared to conventional banks, namely the permission for Islamic banks to carry out business activities that are multi-finance and trade (trading) through buying and selling contracts. But unfortunately, this uniqueness is dominantly applied in the collection of Islamic banking funds. Whereas there are other things that are more urgent, namely the khittah of Islamic banking as a profit-sharing bank, not only in raising funds but also in financing, which is actually widely accessed and needed by the lower middle class. Islamic banking in carrying out banking operational activities is not only for business purposes, in the form of material benefits, but also pursuing happiness in the hereafter. For this reason, the authors analyze Adinugraha's thoughts on sharia banking in Indonesia, where Islamic banks in carrying out banking operational activities not only based on banking provisions in general but also based on sharia provisions. Islamic banks must obey the sharia principles that are implemented from establishment to their operations.

**Keywords:** education, nationalism, and defending the country.

### Introduction

The Islamic banking industry can contribute to carrying out economic transformation to productive economic activities, added value and inclusive. The strategic role of the Islamic banking industry in the economic development of the people must continue to be improved by capturing various opportunities that exist in the digital financial era which is characterized by the use of technology in banking products. This competition is further strengthened by the enactment of the ASEAN Economic Community (AEC) in 2016 for the banking industry. This is an opportunity as well as a challenge for the Islamic banking industry in Indonesia (Shandy Utama, 2020).

Islamic banking assets in 2016-2021 were ranked far when compared to neighboring countries. Therefore, the Islamic banking industry must strengthen itself in order to increase the role in developing the economy in Indonesia. The Islamic banking industry must become a strong industry, have a high market share, and become the choice of the community. The Islamic banking industry is a form of awareness of Muslim communities for the application of sharia concepts in the economic field should be able to become a major player in the banking industry. The Islamic banking industry must take advantage of various opportunities, namely by providing innovation of information and communication technology -based products (ICT) to provide a variety of choices and expand reach in the community. In addition, another thing that is no less important to support the development of the Islamic banking industry in Indonesia is to take advantage of opportunities for economic growth, and increase the availability of funds in Islamic banking. By taking advantage of these opportunities, the Islamic banking industry in Indonesia can develop and have competitiveness with neighboring countries such as Malaysia, and other Muslim countries (Shandy Utama, 2020)

The economic growth of a nation requires a pattern of regulating available economic resources and is used to improve the welfare of the community. Economic institutions work hand in hand to manage and move all economic potentials to be empowered to be more successful optimally. Financial institutions, especially banking institutions have a very strategic role in moving the economy of a country. Even with a brilliant decision that has reached outside the boundaries of the country through the activities of multinational companies. The

existence of financial institutions, especially the banking sector, occupies a very strategic position in bridging the needs of working capital and investment in the real sector with the owner of the funding (agent of economic devotion) (Shandy Utama, 2021).

Banking is referred to as an intermediary institution due to the availability of funds for the business world and supported by the ease of investment encourages business expansion, especially by large-scale groups. As a result, credit demand continues to increase, especially for the industrial sector, trade and services. Banking institutions are the core of the financial system of each country. The bank is a development agent, because all banks function as intermediation between those who have capital to produce, so that with capital assistance for entrepreneurs, the real sector of the economy will develop. The development of the financial sector in Indonesia is expected to be able to bring positive changes to the national economy. This is because banks have a very important role in the Indonesian economy. This is based on the main tasks of financial institutions which are first, the bank is tasked with channeling credit to business institutions or individuals in need. The purpose of lending/financing distribution is for productive activities (Nastiti & Firdaus, 2020).

Conceptually, the Islamic financial industry is in accordance with the demands of the times and is a historical obligation to be born and grow into an alternative-solutive financial system. To realize this, many challenges and obstacles that must be faced by the Islamic financial industry in the future. The Islamic financial industry both banks and non-bank are currently still in the early stages of evolution. Although the growth rate is so fast, so far only occupies a small niche (small niche) in the financial sector in Muslim countries, especially in the international financial sector. Although there are a number of difficulties, the banking Islamization movement is going well. The progress achieved during the last quarter of a century showed encouraging results. Quantitatively, the development of Islamic banks can be seen from the number of banks that carry out business activities based on sharia principles and in terms of business volume. The series of economic policy packages aims to re-stimulate the economy in Indonesia. Some policy packages are made, among others, to simplify bureaucracy, remove regulations that hamper, reduce tariffs, adjust to international practices, and provide incentives to MSMEs (Werdi Apriyanti, 2020).

The role of religion is a major factor that plays a role in realizing the patterns of world perceptions for humans the perceptions also influence the development of the world and the course of history. Conversely history also carries out changes and continuous adjustments to the patterns of perception, especially in the rapidly changing community environment. Of course, the perception has its relevance to worldly activities motivated by a religious belief system. The development of Islamic banking in Indonesia began with the hope of the Indonesian Muslim community in the 1970s to be able to conduct sharia-based transactions, since in several other countries where the majority of the population has been Muslim has established sharia-based banks (Anwar & Perkasa Maki, 2021).

Based on the mandate of the National Conference IV of the Indonesian Ulema Council, a working group has been formed to establish non-*riba*-based banks in Indonesia. Based on recommendations both from the Indonesian Ulema Council Workshop on Bank and Banking Interest as well as the results of the National Conference IV of the Indonesian Ulema Council as well as the promulgation of Law Number 7 of 1992 concerning Banking as a substitute for Law Number 14 of 1967 concerning Banking Principles that contain provisions In Article 1 number 12 is permissibility of banking operational activities based on profit sharing. The presence of the first Islamic bank, PT Bank Muamalat Indonesia in 1992, was the beginning of the history of the development of Islamic banks in Indonesia where in carrying out its operational activities, it was obliged to integrate values and normalization in Islamic Sharia in the transactions of economic activities that (Alhamid, 2022)

Islamic banking in carrying out banking operational activities is not only for business purposes, in the form of material benefits, but also pursuing happiness in the hereafter. For this reason, the authors analyze Adinugraha's thoughts on sharia banking in Indonesia, where Islamic banks in carrying out banking operational activities not only based on banking provisions in general but also based on sharia provisions. Islamic banks must obey the sharia principles that are implemented from establishment to their operations (Apriyanti, 2021).

## Research Methodology

In this study, researchers used the taxonomic analysis approach model, because this model provides a more focused analysis results on a domain or sub-sub-domain of a particular domain. Data collection techniques use triangulation methods, while data analysis techniques in this study use taxonomy analysis techniques using interactive analysis models, because taxonomic analysis techniques with interactive models provide more detailed analysis results and focus on the perspective of Adinugraha about the development of sharia banking in Indonesia. Researchers only analyzed Hendri Hermawan Adinugraha's thoughts about the development of the Kotemporer Islamic Bank in Indonesia, then combined with library research by reading his works about Islamic banking as a primary source and sharia economic books and journals as secondary sources. In addition, library research aims to produce relevant descriptions regarding the perspective of Adinugraha about the development of sharia banking in Kotemporer in Indonesia. Researchers conducted this research systematically in order to carry out the data analysis process to be easier (Jaya, 2020).

## Results and Discussion

### Biography of Hendri Hermawan Adingraha

Hendri Hermawan Adinugraha is a lecturer in PNS IAIN Pekalongan. He began serving in IAIN Pekalongan from 2019-present. The man who is usually called Hendri was born on March 11, 1987. He began his career lecturer since graduating from the Masters of Islamic Studies (Islamic Economic Concentration) Yogyakarta by becoming a permanent lecturer at Udinus Semarang in 2012-2019. Adinugraha took his doctoral education (S3) at UIN Walisongo Semarang by taking the concentration of halal management. In addition to formal education, he also received non-formal education, namely in the Sunan Pandanaran Islamic Boarding School in Jogja 4 (Student Dormitory) (Adinugraha, 2022).

Humans in their lives have three functions, as God's creatures, individuals and socio-culture, but in the perspective of history humans always place themselves as objects as well as historical subjects. History in the subjective sense is a construction compiled by the author as a description or story. Humans have always been historical actors who have the ability to think to create creative ideas and create culture. At present we are in the global era, where the boundaries or national boundaries have no effect (Judrah, 2020).

The current of globalization has hit all over the world. Of course this has an impact on the character development of the nation and its people. Globalization brings about a shift in values. The old values are fading away, which are shifted to new values that are not necessarily compatible with the values of life in society. There is no doubt that Islamic boarding schools with all their types and models have a real contribution to education development. Moreover, historically, Islamic boarding schools have had extraordinary experiences in fostering and developing (character) communities. In fact, Islamic boarding schools are able to increase their role independently by exploring the potential of the community around them. This is what motivates Adinugraha to receive non-formal education (Listiana, 2021).

According to Adinugraha Pesantren, more specifically, student boarding schools are unique educational institutions, both in terms of subject (santri) and object (curriculum and activities). The activities of student boarding schools are summarized in the "Tri Dharma Pesantren" namely: Faith and devotion to Allah SWT; Useful scientific development; and Service to religion, society and country. Therefore, student boarding schools have a strategic position to participate in guarding the development of character education. Character education is an effort that is designed and implemented systematically to help students understand the values of human behavior in the practice of life in society (Latief, 2021).

One of the educational processes, internalization of cultural values and character is an effort to prevent the occurrence of ethical and moral degradation among students. Student boarding school is one of the educational institutions that are holistic and integrative. The internalization of character education in student boarding schools is emphasized to instill good habits (habituations) so that students understand (cognitively) what is right and wrong, are able to feel (affective) good values and are used to doing it (psychomotor). by state. Not only Jokowi's presidential program with a mental revolution, but the state through the president also issued a government regulation on a character strengthening program called PPK. Character and achievement is the dream of the Indonesian people, including the campus. These two things are an urgent

need for the nation. Achievement alone is not enough to solve the problem. Generations that excel but have no character will actually endanger the Indonesian nation. On the other hand, good character often affects one's achievements. Developed countries such as Finland and Japan believe that character is something urgent. Islam actually also places character as the main goal, as the purpose of sending the Prophet Muhammad SAW was to perfect noble character, not just achievement (Suhadah et al., 2021).

He is also active in writing books and scientific journals national to international with the theme of Islamic economics and Islamic studies. In the opinion of experts, scientific work is closely related to the world of education and research. Most scientific papers published are the result of research conducted by research and educational institutions. One of the goals of scientific work is to solve the problem of a problem that exists and is chosen by the author. The scientific work must contain data, facts, and solutions regarding the problems raised. Thus, when writing scientific papers, Adinugraha must obey the important parts of the rules for writing scientific papers, such as using formal, standardized language, according to theory, and facts in the field. (Juniarti, 2021).

Adinugraha is of the opinion that writing scientific papers is very useful in the field of academic scholarship and social life. Because the process in compiling this Scientific Work is arguably not easy. Because the process requires activities in other words research, broad and critical thinking, evaluating sources/references, composition, and organization. But the thing that must be considered in making this Scientific Work is that it must describe the actual/original research results, which in its format contains traditions that have developed several centuries ago. It's the same with the editorial practice of printing or publishing services, so that later on for writers or readers, they can get the full knowledge they want in accordance with their main duties and responsibilities (Adinugraha, 2022).

#### **Hendri Hermawan Adingraha's Works**

Hendri Hermawan Adinugraha has an important role in developing the potential of students in the field of writing. He always shares his writing experiences ranging from national to international writing. This can be seen from his various writings, especially in the field of Islamic banking. As for some of his writings on Islamic banking, among others: Implementation of Ijārah and IMBT at Bank BRI Syariah Yogyakarta Branch, *Journal of Economica*, Volume. VII, Edition. 1, 2016; Muhammad Syafi'i Antonio's Islamic Economic Thoughts (Analysis of Islamic Banking in Indonesia), *SMART Journal*, Volume. 03, Number. 02, 2017; Application of the Rule of al-Ghunm bi al-Ghurum in Musharakah Financing in Islamic Banking, *Economica: Journal of Islamic Economics*, Volume. 8, Number. 1, 2017; Symbolization and Iconization: An Alternative Method of Understanding Arabic Terms in Islamic Banking Products, *Equilibrium Journal*, Volume 5, No. 1, 2017; Al-Maslahah Al-Mursalah in Determining Islamic Law, *Scientific Journal of Islamic Economics*, Volume, 4, No. 01, 2018; Semiotics of Arabic Terms Wadī'ah Yad al-Damānah Agreement on Islamic Bank Funding Products, *ISLAMICA: Journal of Islamic Studies*, Volume 12, Number 2, 2018; The Rationalization Of Abu Yusuf Economic Thought: An Analysis Of The Islamic Public Finances, *Proceedings, The 1st International Conference On Muslim Society And Thought*, 2017; Perspective Review of Islamic Study towards Qaryah Mubārahah's (The Blessed Village) Values in The Tourism Village, *Social Sciences and Education Research Review*, Vol. 6, No. 2, 2019.

#### **Hendri Hermawan Adingraha's Thought Contribution**

Hendri Hermawan Adinugraha's rationalization of contemporary Islamic banking in Indonesia is actually motivated by internal and external factors. Internal factors; emerged from his own educational background (Azmi & Mahardika, 2020). While external factors; increasingly open the door to Islamic financial institutions with the issuance of Law no. 7 of 1992 which was updated by Law no. 10 of 1998 concerning the legal basis of Islamic banking in Indonesia. This is inseparable from the bright prospects in the Indonesian Islamic finance sector. Moreover, in 2008 law number 21 concerning Islamic Banking was enacted which was passed on July 16, 2008. This law is an additional supplement to the legality and evidence of recognition of the presence of Islamic banking in Indonesia. Some of the contributions of Hendri Hermawan Adinugraha's Islamic economic thought, especially when viewed from the literacy of the Islamic banking sector, include: Islamic banks as a diversification of Islamic financial institutions, bank interest, usury, and profit sharing as well as Islamic banking supervision.

#### **Application of the Rules of al-Ghunm bi al-Ghurum in Musharakah Financing in Islamic Banking**

Islamic banking has a unique position compared to conventional banks, namely the permission for Islamic banks to carry out business activities that are multi-finance and trade (trading) through buying and selling contracts. But unfortunately, this uniqueness is dominantly applied in the collection of Islamic banking funds. Even though there are other things that are more urgent, namely the *khittah* of Islamic banking as a profit-sharing bank, not only in raising funds but also in financing, which is actually widely accessed and needed by the lower middle class (Adinugraha et al., 2020).

One of the well-known financing is profit sharing and loss sharing in Islamic banking, namely *mushārahah* financing. Where the *mushārahah* in *fiqh* literature is in the form of a trust agreement ('*uqud al-amānah*) which demands a high level of honesty and upholds a sense of justice. Therefore, each party must maintain honesty for the common good, and every effort from each party not to commit fraud and injustice in the distribution of income, because it will damage Islamic teachings and create a negative image. Because the financing of *mushārahah* is based on '*uqud al-amānah*, all parties involved must truly have trust and responsibility. No wonder these two financings are very difficult to implement, considering the *ghurm* is also very high and vulnerable to default (Tryana, 2021).

In fact, if this is applied in Islamic banking, the *ghurm* will also be greater and will make a significant difference with conventional banking, compared to other distinctions that are considered normal. The old adage of economists said "capital is a little profit as much as possible". This statement seems to be less relevant in today's context. Because the proportion of large and small capital also determines the portion of *ghurm* and *ghurm* that will be achieved and faced. Islam has a wiser and more relevant solution through *fiqh* rules which read: *al-ghurm bi al-ghurm* (profit comes with risk). It would be even better if this rule was implemented in *mushārahah* financing in Islamic banking (Adinugraha et al., 2020).

**Table. 1** *Al-Ghurm on Musharakah Financing*

Theory	Argument
<i>Musharakah</i> Principle	The <i>mushārahah</i> contract implements the principle of profit sharing in which the bank and the customer both invest their capital to carry out a business activity and the profits from the joint venture are distributed either according to the proportion of their respective equity participation or according to a mutual agreement (unproportional).

Financing Risk	<ol style="list-style-type: none"> <li>1. Business Risk That is the risk posed by the business activity itself. If profit, the distribution is based on the ratio. If there is a loss, the distribution is based on the proportion of capital.</li> <li>2. Character Risk If the loss occurs due to the fault of the business manager, for example because he is negligent or violates the terms of the mushārahah contract, then āḥib al-māl does not have to bear the loss.</li> <li>3. Financing Risk (Credit Risk) That is the risk that arises as a result of the negligence of āḥib al-māl in carrying out his duties. This risk can be sourced from various functional activities of Islamic banks such as channeling funds (financing) and raising funds (funding).</li> </ol>
Application Risk	<ol style="list-style-type: none"> <li>1. Unfavorable or untrustworthy customer character (dishonest).</li> <li>2. Financial reporting is not in accordance with reality (manipulation in financial statements).</li> <li>3. Side streaming or the customer does not use the funds as agreed in the contract.</li> <li>4. Carelessness and intentional mistakes by customers.</li> <li>5. The customer is unable to maintain business stability and is unable to manage financial conditions in accordance with the prudential principle.</li> <li>6. There is no clear recording and bookkeeping (especially for MSMEs).</li> <li>7. Many people think that mushārahah financing should be without collateral (collateral), even though this is a high-risk business in accordance with prudential banking principles. Due to the risk of No. 1 (not a few characters of customers who are not good or not trustworthy (dishonest)).</li> </ol>
Efforts to minimize alghurm on mushārahah financing	<ol style="list-style-type: none"> <li>1. capital (capital/wealth) Capital is one that is assessed by Islamic banks (ṣāḥib al-māl) in analyzing a mushārahah financing, capital is the main requirement in establishing a business or as the first source of financing.</li> <li>2. collateral (guaranteed goods / collateral) Collateral is an important thing in the implementation of financing including mushārahah because with the existence of guarantees in addition to maintaining the security of financing which will motivate customers to remain diligent and not negligent of their obligations in paying off the financing carried out.</li> <li>3. capacity (ability to pay debts) The customer's ability to manage and run a business as well as the working capital he has is of course very necessary in running the business he is doing. Of course, it requires capital and third party funds including Islamic banks. customer in returning the financing that he did both in terms of credit and guarantees.</li> <li>4. condition (condition/environment). The assessment carried out here relates to how the prospect of business activities owned by the financing applicant or customer has a high risk or not, and whether the business carried out disturbs the surrounding environment or vice versa.</li> </ol>

	<p>5. character Talking about the character or nature here, the Islamic bank certainly will not want to take risks, so in this case the Islamic bank will conduct research or assessment of the applicant or customer, whether the customer has good behavior, ethics, and morals or not, and whether the customer maintain good relations with the surrounding community, including family.</p>
Another principle that must be carried out by Islamic banks in conducting mushārahah financing for customers	<p>1. return principle The Islamic bank must assess the provision of financing that will generate profit/profit and also the customer's ability to return funds for the financing.</p> <p>2. payment capacity This is related to the customer's ability to return financing loans to Islamic banks in a timely manner.</p> <p>3. risk breaking Islamic banks must also be able to know the level of possible risk that they will face if they carry out or realize a certain financing.</p>
To find out how deep the research or data analysis is, it is also determined through the following things:	<p>1. Amount of financing to be provided</p> <p>2. Financing period</p> <p>3. Guarantee provided</p> <p>4. Reputation of the debtor or business manager</p> <p>5. Good relationship</p>

#### ***Al-Maslahah Al-Mursalah in Determining Islamic Law***

Maslahah mursalah is one method of establishing law that is very effective in responding, responding, and providing solutions, as did the Prophet Muhammad, his companions, tabi'in, and scholars. Although some scholars do not accept this istimbath method, basically the majority of scholars can accept this method with very strict conditions. Therefore, Maslahah mursalah is a sharia law that is based on ijtihad, without relying directly on the Qur'an and Sunnah; However, both laws that are directly sourced from the Qur'an and Sunnah or indirectly, all aim to realize maslahah; and some of the problems change and develop because of changes or developments in the times and places (Luthfi, 2021).

The majority of scholars are of the opinion that maslahah mursalah can only be used as a legal istimbath in mu'amalah affairs. The legal product determined by this method is considered more effective in responding to and answering contextual (current) mu'amalah problems whose legal provisions have not been clearly stated in the texts. Maslahah mursalah aims to realize and maintain the benefit of mankind to the maximum which is a reflection of the manifestation of the maqashid sharia concept (Adinugraha & Mashudi, 2022).

**Table. 2 *Al-Maslahah Al-Mursalah in Determining Islamic Law***

<b>Teori</b>	<b>Argumentasi</b>
Tujuan-Tujuan Syariah (Maqāshid Syari'a)	<p>1. Maslahah Dharuriyat: Preserving religion, soul, lineage, property, and preserving reason</p> <p>2. maslahah hajjiah</p> <p>3. Maslahah tahsiniyah</p>
Syarat-syarat kehujjahan maslahah mursalah	<p>1. true maslahah</p> <p>2. general benefit</p>

	3. does not conflict with the Qur'an
Pandangan ulama tentang masalah mursalah	Maliki, Slavi and As-Syathibi schools Malikiyah and Hanabilah scholars accept masalah mursalah as a proposition in establishing the law, and they are even considered to be the most widely and widely applied fiqh scholars. n Imam Syathibi said that the existence and quality of masalah mursalah are definite (qath'i), although in practice it can be zhanni (relative).

### Symbolization and Iconization: An Alternative Method of Understanding Arabic Terms in Islamic Banking Products

Indonesian society has now entered the era of globalization in various aspects, including the economic aspect. The growth of Islamic banking is an integral part of the economic aspect as an indicator of the success of the Islamic finance sector. Improving the performance of the Islamic banking sector is an absolute thing, this can be done by innovating products to be able to compete or compete with other banks globally. The iB (Islamic Banking) label by Bank Indonesia and the Financial Services Authority to facilitate public understanding of the existence of Islamic banking is classified in a symbolic or iconic form that provides an understanding value to customers of a meaning that attaches the brand name, logo, and product category of Islamic banks. The symbolic and iconic meanings are not just mere images, but have implications for simplification of the meaning of the implied message to be conveyed by the related parties. Symbolization and iconization: an alternative method of understanding Arabic terms in Islamic banking products, this is a guide and the combination of symbol and icon theory with marketing theory is an idea that can be used to facilitate public understanding of Arabic terms in Islamic banking products, which is an initiative This emerges from the results of a study of social phenomena and is strengthened by various literatures both nationally and internationally. The implementation of this concept requires integrated collaboration with various disciplines such as visual communication design, marketing, and Islamic economics with a concentration of Islamic banking (Adinugraha, 2020).

### Conclusion

Islamic banking has a unique position compared to conventional banks, namely the permission for Islamic banks to carry out business activities that are multi-finance and trade (trading) through buying and selling contracts. But unfortunately, this uniqueness is dominantly applied in the collection of Islamic banking funds. Whereas there are other things that are more urgent, namely the khitthah of Islamic banking as a profit-sharing bank, not only in raising funds but also in financing, which is actually widely accessed and needed by the lower middle class.

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