

CHAPTER ONE

INTRODUCTION

1.1 Background of Study

Digital technology has progressed very rapidly in this decade. Indonesia is no exception, which is considered to have great potential as a country holding the world's digital technology market. Various digital technologies have entered and become to be a necessity that can't be separated by peoples activities, especially about the usage of online systems on the internet.

The growth of internet users in Indonesia in 2017 reached 51% or around 45 million users, followed by a growth of 34% of active social media users. Consumers who access social media by mobile also increased by 39%. In Indonesia, more than 106 million peoples use social media every month, and 85% of them access social media by mobile devices.¹ From the index released by Tetra Pak, it showed how many business opportunities through the internet system are not limited to producers of products, but as producers who offer facilities in transactions online.

Various usage of the online system in economic began to growth starting from selling transaction of online mobile, transfer of online mobile, payment online and other. This phenomenon has made one of reason Central Bank of Indonesia issued cash less society about electronic money that has been set by Bank Indonesia Regulation No. 16/08/PBI/2014.²

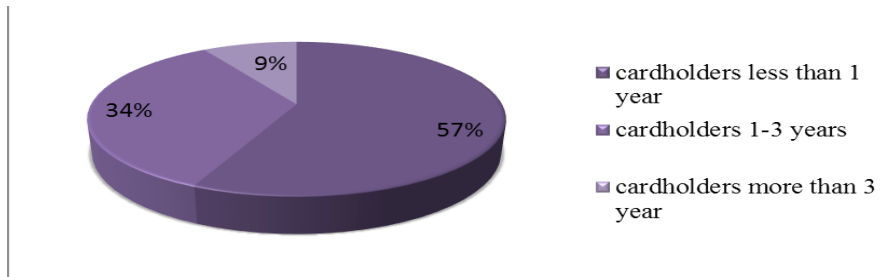
The policy of the Central Bank of Indonesia makes a new challenge for Banking Financial Institutions and non-banking financial institutions to compete with the speed of technology by launching online based products,

¹ Yudhianto, *132 Juta Pengguna Internet Indonesia, 40% Penggila Medsos*, <https://inet.detik.com>, Accessed on 11 February 2018.

² Muhammad Sofyan Abidin, *Dampak Kebijakan E-Money di Indonesia Sebagai Alat Sistem Pembayaran Baru*, (Surabaya, Universitas Negeri Surabaya), p.1-3.

one of which is e-money. Such as data taken by daily social 2017, there has been a rapid increase for users of e-money, because the interest of the community as users of e-money increased by 57% in the last year, compared with people who have been using e-money for 3 years 34% and more than 3 years 9%.³

The Growth of E-Money User In Indonesia During 2017



Source: <http://dailysosial.id/report/post/e-money-in-indonesia-2017>

E-money is another method of payment. It can be used instead of a credit or debit card to pay for purchases on the internet or via mobile phone. When we open an account by transferring funds to the issuer of the e-money. Then, when we can shop online, we instruct the issuer to send our e-money to the merchant, or in the case of the mobile phone set-up, we can transfer funds at any time to other users of the service, including merchants.⁴

But the existence of e-money in the community is still doubtful about its use. Because e-money is still dabgetous in the event of malfunction and hacking.⁵ And the unregistered e-money still causes danger from theft if its lost because it not in equipped by PIN.⁶ That was one of he reasons why e-money is not all in accordance with the *maqashid syariah*.

³ Fedinan Zebua, *E-Money Survey 2017*, <http://dailysosial.id>, Accessed on 11 February 2018.

⁴ Stepent G. Cecchetti, *Money Banking, an Financial Markets*, (United State of America, Mc Graw Hill Education, 2015), p. 32-33.

⁵ Redi Putra Mayoan, *Perlindungan Hukum Bagi Pengguna Uang Elektronik (E-money)*, (Padang : Universitas Andalas), p. 2.

⁶ Afif Muamar, *Elektronic Money (e-money) dalam Perspektif Maqashid Syariah*, *Journal of Islamic Economics Lariba*, Year 2017 Volume 3, p.75.

Seeing to the development of increasingly rapid community's needs and to able to obtain easy transactions, Islamic Financial Institutions (IFI) made some improvements on online transaction by launched Syariah Electronic Money products.

In Indonesia, up to 2018 two e-money products have been circulating from Islamic Financial Institutions, namely BSM E-Money from Bank Syariah Mandiri and *TapCash iB Hasanah* from BNI Syariah. Similar to e-money generally. Electronic money launched by Bank Syariah Mandiri dan BNI Syariah also has principal as a means of payment for cash replacement transactions in accordance with Syariah and *halal* principles.⁷

With the emergence of new products related to electronic money in Islamic Financial Institutions, an to provide clarity and certainty about how the law applies in Islamic against the use of e-money on the activities of the community, the National Syariah Council issued a Fatwa DSN-MUI No: 116/DSN-MUI/IX/2017 concerning Syariah Electronic Money. As for Syariah Electronic Money is electronic money in accordance with Syariah principles.⁸

In several written articles and explain the incompatibility some aspect of problems as Syariah electronic money toward Syariah principal and fatwa from DSN-MUI No: 116/DSN-MUI/IX/2017 concerning Syariah Electronic Money.⁹

However, it is different from BNI Syariah which does not have a *halal* certificate in e-money products and there is no article that has explained how the contract and managerial compliance of *TapCash iB Hasanah* with *maqashid syariah* and DSN-MUI Fatwa No: 116/DSN-MUI/IX/2017 concerning Syariah Electronic Money. So many people are still

⁷ PT. BNI Syariah, *Kartu Tapcash iB Hasanah*, <https://www.bnisyariah.co.id>, Accessed on 13 September 2018.

⁸ Fatwa DSN-MUI No:116/DSN-MUI/IX/2017 concerning Syariah Electronic Money, p. 7.

⁹ Aris Rusdiyanto, *Tinjauan Prinsip Syariah Terhadap Produk E-money Bank Syariah Mandiri*, (Jakarta: UIN Syarif Hidayatullah, 2017), p. 66.

doubting about *TapCash iB Hasanah*, which is feared still far from *gharar* and anythings that are not in suitability with *maqashid syariah*.

With the analysis of cash less society in *TapCash iB Hasanah* E-Money at BNI Syariah Surakarta, it can help the community to provide certainty about the congestion of the e-money products in BNI Syariah with *maqashid syariah*. Especially for *TapCash iB Hasanah* e-money products. So, later the community can calm down and trust with *TapCash iB Hasanah* BNI Syariah Surakarta. Based on he explanation above the writer interested in discussing this the research by the title:

Cash Less Electronic Money (E-Money) Application on The Perspective of Instruction (Fatwa) of National Syariah Board Indonesian Council of Ulama No: 116/DSN-MUI/IX/2017 And *Maqashid Syariah* (Case Study of *TapCash iB Hasanah* BNI Syariah Surakarta Branch Office, 2018).

1.2 Problem Formulation

In this research the writer determines the problem formulation from phenomena that has been explained in the background of the study, to give a limit on what will be explained until the writer can focus on a problem. The problems formulation that will be explained by writer, there are:

- 1.2.1 How is the concept of electronic money in the perspective of Fatwa DSN-MUI No: 116/DSN-MUI/IX/2017 and *Maqashid Syariah*?
- 1.2.2 How is the Application of Syariah Electronic Money *TapCash iB Hasanah* product BNI Syariah Surakarta in suitability with *maqashid syariah* and Fatwa DSN-MUI No: 116/DSN-MUI/IX/2017?

1.3 Purpose of Study

Illustrated the purpose of research results from the problem formulation. The purpose of this study are as following:

- 1.3.1 To know the views of the DSN-MUI fatwa on the concept of electronic money.
- 1.3.2 To know the reliability of Syariah Electronic Money *TapCash iB*

Hasanah BNI Syariah Surakarta with *maqashid syariah* and Fatwa DSN-MUI No:116/DSN-MUI/IX/2017.

1.4 The Benefits of study

Hopelly this study can be useful for:

1.4.1 Theoretical Benefits

Theoretically this study is expected:

- 1) To increase scientific knowledge.
- 2) To give information in the form of contributions to the advancement of science.
- 3) To become a public reference about the suitability of e-money product issued by BNI Syariah Surakarta toward *Maqashid Syariah* and fatwa DSN-MUI No: 116/DSN-MUI/IX/2017.

1.4.2 Practical Significance

The practical significance use is benefits that can be taken from the results of this study on practices that occur in the environment both in the aspects of student activities and society. The usefulness of the results in this study which is expected by the writer in practice are:

- 1) As an additional reference for students, in the major of Islamic Economics Law.
- 2) As knowledge to the community to eliminate the feeling of concern that arises in the growing financial systems.
- 3) As knowledge to Islamic Financial Institutions to provide additional information to costumers and public.
- 4) As an evaluation material for Islamic Financial Institutions in issuing a system of a product based on syariah.

1.5 Research Method

Research method is a one of activity did systematically in collecting, analyzing, and concluding of data with the certain of method and technic to know the answer of problem formulation research about Cash Less Electronic Money (E-Money) Application on The Perspective of Instruction

(Fatwa) of National Syariah Board Indonesian Council of Ulama No: 116/DSN-MUI/IX/2017 And Maqashid Syariah (Case Study of TapCash iB Hasanah BNI Syariah Surakarta Branch Office, 2018).¹⁰ The following description of the method chosen by writer to compile the research.

1.5.1 Research Type

This research is using qualitative analysis with a descriptive method. This method describes the object, phenomenon, or setting social with narrative written. Its means the data and fact must be submitted words or describe than numeric. To explain this research the writer written the results of research by qualitative contained the fact that gets in object of research to give real illustration for supporting the main of research.¹¹ it is writing research by compiling data obtained from interviews field accordance with the title of research.

1.5.2 Research Place

To provide focus on research, the writer conducted research PT. Bank BNI Syariah Surakarta which is addressed at Slamet Riyadi street No. 318 Sriwedari, Laweyan, Surakarta, Central Java, 57141.

1.5.3 Data Souch

Data sources are data that will be taken as material for research. In this research, the writer uses two types of data resource there are primary and secondary.

1.5.3.1 Primary Data

Primary data in the form of interview is a data that collected from first source or the data that obtained through collecting by herself ,¹² The data discussed and observation to several the data

¹⁰ Djam'an Satori, *Metode Penelitian Kualitatif*, (Bandung: Alfabeta, 2017), p. 20.

¹¹ Ibid, p. 28.

¹² Eko Putro Widiyoko, *Teknik Penyusunan Instrumen Penelitian*, (Yogyakarta: Pustaka Pelajar, 2015), p. 22.

responses from Bank BNI Syariah Surakarta which are directly related to TapCash iB Hasanah product.

1.5.3.2 Secondary Data

Secondary data as a data that obtained from continuing data collected from other people.¹³ Collection data from books, papers, website or literature reviews. That given more explanation about phenomena that exist in accordance with the title of research, it is Cash Less Electronic Money (E-Money) Application on The Perspective of Instruction (Fatwa) of National Syariah Board Indonesian Council of Ulama No: 116/DSN-MUI/IX/2017 and *Maqashid Syariah* (Case Study of *TapCash iB Hasanah* BNI Syariah Surakarta Branch Office, 2018).

1.6 Data Collection Method

This study obtained the data of research, by using the following methods:

1.6.2 Interview Method

The interview method is a data collection used direct questions to informant, and answers of informant written and recorded by tape recording.¹⁴ The interview will be carried out directly, even structurally or unstructurally to BNI Syariah Surakarta Branch Office, particularly to the Head of BNI Syariah Surakarta Branch Office. This method aimed at obtain up information that has related to this research.

¹³ *Ibid*, p. 23.

¹⁴ Irawan Soehartono, *Metode Penelitian Sosial*, (Bandung: Rosda, 2015), p. 67-68.

1.6.3 Documentation Method

In most tradition of qualitative research, the phrase personal document is used broadly to refer to any first person narratively produced by an individual which describes his or her own actions, experience and belief. Even from advertisements, Annual Reports, Journals, News Paper and photos that is related to *TapCash iB Hasanah* BNI Syariah Surakarta branch office. This method to give more credibility interview method.¹⁵ From this results, the writer can be provided specific descriptive data are often used to understand about analysis of cash less society e-money implementation (Case Study of *TapCash iB Hasanah* BNI Syariah Surakarta Branch Office).

1.7 Data Analysis Technique

The analysis method used in this research is qualitative analysis with a descriptive method.

1.7.1 Deductive method

The deductive method used to analyze the general statement to take conclusion as specific statement. The writer used this technique to connect the theoretical framework based objective of Syariah (*maqashid Syariah*) and Fatwa DSN-MUI No: 116/DSN-MUI/IX/2017 concerning Syariah Electronic Money with the analysis of cash less society e-money implementation (case study *TapCash iB Hasanah* Surakarta Branch Office)

1.7.2 Descriptive method

Descriptive method is aimed at describily about community or organization or the correlation of two symptoms or more.¹⁶After the writer describes the data, the writer took the analysis that related result data with theoretical framework. Until the writer can take the result of

¹⁵ Sugiyono, Metode Penelitian Kuantitatif, Kualitatif dan R&D, (Bandung: Alfabeta, 2016), p. 240.

¹⁶ Irawan Soehartono, Metode Penelitian Sosial, (Bandung: Rosda, 2015), p. 35.

this research.

1.8 Writing System

To simplify the result of the study, the writer compile the research into five chapters and every chapter divided into several sub-chapters.

CHAPTER ONE in this chapter the writer will be describing about the background of study which is the basis for the writer to write the research about Cash Less Electronic Money (E-Money) Application on The Perspective of Instruction (Fatwa) of National Syariah Board Indonesian Council of Ulama No: 116/DSN-MUI/IX/2017 And *Maqashid Syariah* (Case Study of *TapCash iB Hasanah* BNI Syariah Surakarta Branch Office, 2018), then continued by problem formulation as a focus in this research, purpose of study and significance of study a purpose point from writer to her research, research methods, research type, research place, and source of research. Hence, it continued with the explanation about collection method and data analysis and writing systematic.

CHAPTER TWO in this chapter the writer will be discussing literature which explains about literature review as the writer's reference in this research, followed by theoretical of the framework which contains sub-chapters on a discussion about electronic money, contracts that relating to electronic money, and also about subjective of Syariah (*maqashid syariah*). and after explaining about theoretical framework as a limitation of discussion, the writer writes the conceptual framework as an explained mechanism of electronic money generally, and the last the writer will combine and connect the variables based on theoretical that was explained in theoretical framework and also conceptual framework until getting the thought of framework as a view concept from this research.

CHAPTER THREE in this chapter the writer will be explaining the research generally or subject from background of the study with explaining about PT. Bank BNI Syariah Surakarta profile, the writer also will be explaining about main of BNI Syariah product namely *TapCash iB Hasanah* Card. And the last, the writer will write result analysis from Cash Less Electronic Money (E-Money) Application on The Perspective

of Instruction (Fatwa) of National Syariah Board Indonesian Council of Ulama No: 116/DSN-MUI/IX/2017 And *Maqashid Syariah* (Case Study of *TapCash iB Hasanah* BNI Syariah Surakarta Branch Office, 2018).

CHAPTER FOUR in this chapter the writer will be writing the conclusions from all that writer has explained and the suggestions to the instution that had involved and the reader of this thesis